

BAY COUNTY BOARD OF COMMISSIONERS

A G E N D A

TUESDAY, APRIL 13, 2010

4:00 P.M.

COMMISSION CHAMBERS, FOURTH FLOOR, BAY COUNTY BUILDING

PAGE NO.

I CALL TO ORDER (CHAIRMAN ELDER)

II ROLL CALL

III INVOCATION

IV PLEDGE OF ALLEGIANCE

64-78 **V MINUTES (3/9/10)**

VI CITIZEN INPUT (4:00 P.M.)

VII PETITIONS AND COMMUNICATIONS

- 1 A. Roy DeLorge - Request for Appolntment to Bay County Department of Human Services Board of Directors **(Receive - Note: Term on DHS Board expires 10/31/10 and Mr. DeLorge's application will be included for consideration at the October 2010 Board meeting)**

VIII REPORTS/RESOLUTIONS OF COMMITTEES

A. WAYS AND MEANS (DONALD J. TILLEY, CHAIR; EUGENE F. GWIZDALA, VICE CHAIR)

- 2-21 1. No. 2010-53 - Resolution Authorlzing the Issuance and Sale of Not to Exceed \$5,000,000 Bay County West Slde Regional Sewage Disposal System Revenue Bonds (General Obligation lmlted Tax) Series 2010 (Department of Water and Sewer)

- 22 2. No. 2010-54 - Operating Millage Renewal (Bay County Library System)

23	3.	No. 2010-55 - Bay County Recovery Zone Economic Development Bond Allocation - City of Bay City and Pinconning Township
24	4.	No. 2010-56 - Opposition to Governor's Proposal to Move \$2.6 Million from the Sheriff's Secondary Road Patrol Fund to the Michigan State Police Budget (Sheriff Department)
25	5.	No. 2010-57 - Renewal of Crime Victim Rights Grant Agreement (Prosecutor's Office)
26	6.	No. 2010-58 - Renewal of Victims of Crimes Act (VOCA) Grant (Prosecutor's Office)
27	7.	No. 2010-59 - Updated Agreements with School Districts (BASWA-Drain Office)
28	8.	No. 2010-60 - Application for the Office of Juvenile Justice and Delinquency Prevention FY 2010 Family Drug Court Program Funds (Probate Court)
29	9.	No. 2010-61 - Suspension of Board Rules (Article XIII) for Adoption of Amendments to Bay County Employees' Retirement System Ordinance
30-37	10.	No. 2010-62 - Amendments to Bay County Employees' Retirement System Ordinance (Corporation Counsel)
38	11.	No. 2010-63 - New World Maintenance Agreement (ISD-Sheriff Dept.)
39	12.	No. 2010-64 - New World Maintenance Agreement (ISD-Central Dispatch/911)
40	13.	No. 2010-65 - Acceptance of Funding from MDCH Tobacco Prevention and Control Section (Health Department)
41	14.	No. 2010-66 - MDNRE Funding for Bacteria Source Tracking Projects/Forecasting at Bay County Beaches (Health Department)
42	15.	No. 2010-67 - Application for Asthma Environmental Trigger Grant (Health Department)
43	16.	No. 2010-68 - Household Hazardous Waste Collection Grant (Health Department)

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| 44 | 17. | No. 2010-69 - Michigan Green Schools Act Initiative/ Recognition of Participating Schools (Environmental Affairs/Community Development) |
| 45-47 | 18. | No. 2010-70 - Budget Adjustments (Various) |
| 48 | 19. | No. 2010-71 - Resilient C - Analysis in Health Department; Homeland Security Purchasing Process (Administrative Services) |
| 49 | 20. | No. 2010-72 - Medicare Early Retiree Subsidy Services Addendum (Corporation Counsel) |
| 50 | 21. | No. 2010-73 - Equalization Contractual Services (Personnel) |
|
B. PERSONNEL/JUDICIAL (ERNIE KRYGIER, CHAIR; KIM COONAN, VICE CHAIR) | | |
| 51 | 1. | No. 2010-74 - Electronic Monitoring Fees (Community Corrections) |
| 52 | 2. | No. 2010-75 - Vacancies (Health Dept; Sheriff Dept; Division on Aging; Drain Office) |
|
C. HUMAN SERVICES (MICHAEL J. DURANCZYK, CHAIR; VAUGHN J. BEGICK, VICE CHAIR) | | |
| 53 | 1. | No. 2010-76 - MSHDA Grant Application; Renewal of Contract w/Bay Area Housing (Administrative Services) |
| 54 | 2. | No. 2010-77 - "Week of Hope" Program Partner Organization Agreement (Division on Aging) |
|
D. BOARD OF COMMISSIONERS (BRIAN K. ELDER, CHAIR; PATRICK H. BESON, VICE CHAIR) | | |
| 55 | 1. | No. 2010- 78 - Accounts Payable//Center Rldge Arms |
| 56-59 | 2. | No. 2010-79 - Reports of County Executive |
| 60 | 3. | No. 2010-80 - Honoring Molly Lopez, Diamond Gems Award |
| 61 | 4. | No. 2010-81 - Honoring Jim Lamkin, Diamond Gems Award |

IX REPORTS OF COUNTY OFFICIALS/DEPARTMENTS

A. County Executive

62-63

1. Concurrence with Appointment of Kim Bejcek, Acting Director of Bay-Arenac Department of Human Services, to fill Public Assistance Vacancy on Michigan Works! Workforce Development Board (**Motion to concur**)

X UNFINISHED BUSINESS

XI NEW BUSINESS

XII MISCELLANEOUS

XIII ANNOUNCEMENTS

- A. June - Library Board (One 5 year term)

XIV CLOSED SESSION (If requested)

- A. Personnel Director - Labor Negotiations

Motion: To go into closed session pursuant to MCLA 15.268, Sec. 8 (c): For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement when either negotiating party requests a closed hearing.

XV RECESS/ADJOURNMENT



BAY COUNTY BOARD OF COMMISSIONERS

515 CENTER AVENUE, SUITE 405, BAY CITY, MICHIGAN 48708-5125

(989) 895-4120 FAX (989) 895-4226 TDD (989) 895-4049

e-mail address: bergerd@baycounty.net

www.baycounty-mi.gov

Bay County Building 1932

COUNTY OF BAY

APPLICATION FOR APPOINTMENT TO:

PATRICK H. BESON
CHAIRMAN
2ND DISTRICT

Dept of Human Services

EUGENE F. GWIZDALA
VICE CHAIRMAN
8TH DISTRICT

Name Roy DeLorge

Address 1479 Horan Rd

MICHAEL J. DURANCZYK
1ST DISTRICT

KAWKAWLIN MI 48631

Home Phone No. 6841752 Business Phone No. 450 6541

VAUGHN J. BEGICK
3RD DISTRICT

E-mail Address: Non PIP @ ATT.NET

Occupation Retired - Plastering Contractor

DAWN A. KLIDA
4TH DISTRICT

Employer SELF

Are you a resident of Bay County? Yes

ERNIE KRYGIER
5TH DISTRICT

List your interests and qualifications for the above Board or Commission*

KIM COONAN
6TH DISTRICT

I have always been interested in helping other people

BRYAN K. ELDER
7TH DISTRICT

List any other information you feel would be pertinent in assisting the County Board of Commissioners in their selection*

DONALD J. TILLEY
9TH DISTRICT

Elected KAWKAWLIN TWP Supervisor 12 yrs
Previously that elected Treasurer 20 yrs
Served on Bay Metro Board 1984-1988

ROBERT J. REDMOND
FINANCIAL ANALYST
(989) 895-4125
redmond@baycounty.net

List membership on any other civic boards and/or committees*

KAWKAWLIN TWP Board of Review

DEANNE C. BERGER
BOARD COORDINATOR
(989) 895-4121
bergerd@baycounty.net

*Feel free to use additional paper if required.

Date submitted: 3-23-10

Please return this form to:

Bay County Board of Commissioners
Fourth Floor
Bay County Building
515 Center Avenue
Bay City, MI 48708 or
FAX to: 989-895-4226

RECEIVED
BAY COUNTY BOARD OF COMM.

MAR 23 2010

Routing _____

-/-

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE
COUNTY OF BAY, STATE OF MICHIGAN

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF NOT TO
EXCEED \$5,000,000 BAY COUNTY WEST SIDE REGIONAL SEWAGE
DISPOSAL SYSTEM REVENUE BONDS (GENERAL OBLIGATION LIMITED
TAX), SERIES 2010

WHEREAS, the County of Bay, State of Michigan (the "County"), by resolution of its Board of Commissioners, adopted the provisions of Act 342, Public Acts of Michigan, 1939, as amended ("Act 342") and pursuant to said resolution designated the Board of County Road Commissioners as the duly designated county agency (the "County Agency"); which acts for and on behalf of the Bay County Department of Water and Sewer (the "DWS"); and

WHEREAS, to protect and preserve the public health, safety and welfare of the present and future residents of the County, it is necessary to construct certain improvements and expansions to the West Bay County Regional Wastewater Treatment Plant which is a part of the Bay County West Side Regional Sewage Disposal System, including, but not limited to, construction of an overflow basin, improvements to piping from the final clarifiers, enlargement of the chlorine contact chamber and construction of an anaerobic digester system (the "Project"); and

WHEREAS, the cost of the Project is estimated at not to exceed Five Million Dollars (\$5,000,000); and

WHEREAS, to finance the cost of the Project, the County deems it necessary to borrow the sum of not to exceed \$5,000,000 and to issue its Bay County West Side Regional Sewage Disposal System Revenue Bonds (General Obligation Limited Tax), Series 2010 therefore pursuant to the provisions of Act 342 and Act 94; and

WHEREAS, Act 342 authorizes the County to pledge the full faith and credit of the County as security for revenue bonds issued pursuant to Act 94,

NOW, THEREFORE, BE IT RESOLVED:

1. Definitions. Whenever used in this Resolution, except when otherwise indicated by the context, the following terms shall have the following meanings:

- (a) "Act 94" means Act 94, Public Acts of Michigan, 1933, as amended.
- (b) "Act 342" means Act 342, Public Acts of Michigan, 1939, as amended.
- (c) "Additional Bonds" means any additional bonds of equal standing with the Bonds and which are issued pursuant to Section 37 of this Resolution.

(d) "Bonds" means the Bay County West Side Regional Sewage Disposal System Revenue Bonds (General Obligation Limited Tax), Series 2010 and any Additional Bonds issued pursuant to this Resolution.

(e) "Code" means the Internal Revenue Code of 1986, as amended.

(f) "Completion Date" means the date of completion of the Project.

(g) "County" means the County of Bay, State of Michigan.

(h) "Engineer" means the County's consulting engineers.

(i) "Government Obligations" means direct obligations of the United States of America or obligations, the principal and interest on which is guaranteed by the full faith and credit of the United States of America.

(j) "Net Revenues" means the Revenues remaining after deducting the reasonable expenses of administration, operation and maintenance of the System as defined in Act 94.

(k) "Operating Year" means a one-year period commencing January 1 of each year and ending on December 31 of each year.

(l) "Project Costs" means the costs of purchasing, acquiring, constructing, improving, enlarging, extending or repairing the Project, including any engineering, architectural, legal, accounting, financial, and other expenses incident to the Project. Project Costs include costs of issuing the Bonds, interest on the Bonds (including accrued and capitalized interest, if any) and other obligations of the County to pay costs of the Project during the period of construction and until full Revenues are developed, as well as a reserve or addition to a reserve for payment of principal of and interest on the Bonds and the amount required for operation and maintenance until sufficient Revenues have developed.

(m) "Registered Owners" means the owners of the Bonds as shown on the registration records kept by the Paying Agent or by a bank or trust company organized under the laws of any state of the United States of America or a national banking association which may be designated by the County as its agent to keep such records.

(n) "Revenues" means the income received by the DWS from the local units of government discharging wastewater into the West Bay County Regional Wastewater Treatment Plant (the "Local Units") derived from the rates charged to or by the Local Units for the services, facilities and commodities furnished by the System, including, without limitation, all fees, charges and rents for the use of the System and the earnings derived from the investment of moneys in the various funds established by this Resolution.

(o) "System" means the Bay County West Side Regional Sewage Disposal System.

2. Establishment of Control and Administration of the System. The control and administration of the System is hereby established in the County Agency pursuant to Act 342.

3. Necessity; Approval of Plans and Specifications. It is hereby determined to be a necessary public purpose to undertake the Project in accordance with the plans and specifications prepared by the Engineer, which plans and specifications are also hereby approved.

4. Estimated Costs; Useful Life. The total Project Costs are estimated to not exceed \$5,000,000. This estimate of cost is hereby approved and confirmed. The period of usefulness of the Project is estimated to be not less than forty (40) years.

5. Issuance of Bonds. For the purpose of paying a portion of the Project Costs, the County shall borrow the sum of not to exceed \$5,000,000, as finally determined by an Authorized Officer (defined below) at the time of sale by issuing the Bonds and may borrow such additional sums and issue such Additional Bonds as are authorized hereunder in connection therewith pursuant to the provisions of Act 342 and Act 94.

6. Pledge of Revenues and Sources of Payment for the Bonds. The Bonds shall be payable in the first instance from the Net Revenues and the Net Revenues are hereby pledged to the payment of the principal of and interest on the Bonds.

In addition to the foregoing, the Bond and Interest Redemption Fund ("Redemption Fund") and Construction Fund created hereunder are pledged as security for payment of the principal of and interest on the Bonds. The Receiving Fund and the Operation and Maintenance Account, the Rebate Account and the Surplus Account therein established hereunder are not pledged as security for the Bonds.

Pursuant to Act 94, there is hereby created a statutory lien upon all amounts pledged as security for payment of the principal of and interest on the Bonds, to and in favor of the Registered Owners of the Bonds. The amounts pledged hereunder shall be subject to the lien created hereunder until payment in full of the principal of and interest on the Bonds.

7. Pledge of Full Faith and Credit, General Obligation. Pursuant to the authority granted in Act 342, the County hereby pledges its full faith and credit as additional security for payment of the principal of and interest on the Bonds when due. To the extent the County makes payment pursuant to the foregoing pledge of its full faith and credit, the County shall be reimbursed from Net Revenues subsequently received to the extent such Net Revenues are not otherwise pledged or encumbered and the County shall be entitled to all other remedies available to it pursuant to Act 342 and Act 94.

In the event that there are insufficient moneys for the payment of the principal of and interest on the Bonds, the County shall levy a tax on all taxable property in the County for the prompt payment of the principal of and interest on the Bonds, which tax shall be limited as to rate and amount by applicable charter, constitutional and statutory limitations on the taxing power of the

County. The pledge by the County shall be a first lien on the budget of the County in the event of insufficient moneys available to pay the principal of and interest on the Bonds as and when due.

8. Bond Terms. The Bonds shall be designated BAY COUNTY WEST SIDE REGIONAL SEWAGE DISPOSAL SYSTEM REVENUE BONDS, (General Obligation Limited Tax), Series 2010. The Bonds shall contain a recital that they are issued pursuant to Act 342 and Act 94, in the principal amount of not to exceed \$5,000,000, shall mature and bear interest, be subject to redemption, be transferrable, be payable and otherwise be in substantially the form as provided in Exhibit A attached hereto and made a part hereof. The Bonds shall be executed by the manual or facsimile signature of the Chairman of the Board of Commissioners of the County and the manual or facsimile signature of the Clerk of the County, and shall bear a facsimile of the corporate seal of the County.

In case any officer whose signature shall appear on the Bonds shall cease to be such an officer before the delivery of the Bonds, such signature shall nevertheless be valid and sufficient for all purposes, the same as if he or she had remained in office until such delivery.

The Bonds shall be numbered consecutively in the order of their registration, shall be dated the date of delivery or such other date as shall be approved by an Authorized Officer and shall be payable serially or as term bonds commencing on May 1, 2011 or as otherwise determined by an Authorized Officer at the time of sale; provided that the final maturity shall occur no later than 2030 or such earlier or later date as may be determined by an Authorized Officer. The Bonds shall bear interest at a rate or rates not exceeding eight percent (8%) as determined by an Authorized Officer, payable semi-annually on November 1 and May 1 each year, commencing November 1, 2010. An Authorized Officer may alter the bond terms within the parameters of this resolution as hereafter provided.

9. Payment of Principal and Interest. Both principal of and interest on the Bonds shall be payable in lawful money of the United States of America to the persons appearing on the Bond registration books as the registered owner thereof. Payment of principal on the Bonds shall be made at the principal office of the Paying Agent (defined below), upon surrender of the Bonds. Interest on the Bonds shall be paid to the registered owner at the address as it appears on the registration books as of the determination date. Initially, the determination date shall be the date as of the fifteenth (15th) day of the month prior to the payment date for each interest payment; provided, however, that the determination date may be changed by the County to conform to market practice.

10. Qualified Tax-Exempt Obligation. The County reasonably anticipates that the amount of qualified tax-exempt obligations which will be issued by the County and all subordinate entities during the calendar year 2010 will not exceed \$30,000,000. The County hereby designates the Bonds, in their total principal amount, as qualified tax-exempt obligations for purposes of Section 265(b)(3)(B) of the Code. This section does not apply to any Bonds which are issued as BABs.

11. Term Bond Option. The initial purchaser of the Bonds shall have the option of designating any one or more maturities of Bonds as serial bonds or term bonds, or both. If the initial

purchaser designates Bonds as term bonds, such principal amounts as determined by an Authorized Officer shall represent a mandatory redemption requirement for a term bond or a term bond maturity as designated by the initial purchase of Bonds.

12. Prior Redemption.

(a) Mandatory Redemption. Principal designated by the original purchaser of the Bonds as a term bond maturity shall be subject to mandatory redemption, in whole or in part, by lot, at par plus accrued interest to the date fixed for redemption on the redemption dates corresponding to the maturities approved by an Authorized Officer. When term bonds are purchased by the County and delivered to the Paying Agent for cancellation or are redeemed in a manner other than by mandatory redemption, the principal amount of term bonds affected shall be reduced by the principal amount of Bonds so purchased or redeemed in the order determined by the County.

(b) Optional Redemption. Bonds maturing on or before May 1, 2020 shall not be subject to redemption prior to maturity. Bonds maturing on or after May 1, 2021 shall be subject to redemption prior to maturity, in whole or in part, at the option of the County and in such order as the County may determine, on any date on or after May 1, 2020, at par plus accrued interest to the date fixed for redemption. Bonds of a denomination greater than \$5,000 may be partially redeemed in the amount of \$5,000 or any integral multiple thereof. If less than all of the Bonds maturing in any year are to be redeemed, the Bonds or portions of Bonds to be redeemed shall be selected by lot.

(c) Extraordinary Redemption of Bonds Issued as BABs. If for any reason (other than because of an action taken by or inaction by the County) the County is held by the Internal Revenue Service to be ineligible to receive all or part of the Refundable Credit or if the United States Department of Treasury or any agency of the United States of America at any time cease to remit to the County all or any part of the Refundable Credit payable in accordance with Section 54AA of the Code with respect to Bonds issued as BABs (defined below), the Bonds issued as BABs shall be subject to extraordinary redemption prior to maturity, in whole or in part, in multiples of \$5,000 within a single maturity in such order of maturity as the County shall determine and within a single maturity by lot on any date at par plus accrued interest to the date fixed for redemption, but without premium.

(d) Notice of Redemption. Notice of redemption of Bonds shall be given by mail to the Registered Owners of the Bonds to be redeemed not less than thirty (30) days prior to the date fixed for redemption, addressed to the Registered Owner at the registered address shown on the registration books of the County maintained by the Paying Agent. Bonds so called for redemption shall not bear interest after the date fixed for redemption, provided funds are on hand with the Paying Agent to redeem the same. So long as the book-entry-only system remains in effect, the Paying Agent will give notice to Cede & Co. as nominee of The Depository Trust Company, New York, New York ("DTC"), and only Cede & Co. will be deemed to be the holder of the Bonds.

13. Paying Agent and Registration.

(a) Appointment of Paying Agent. From time to time the County shall designate and appoint a Paying Agent, which may also act as transfer agent and bond registrar. The initial Paying Agent shall be U.S. Bank, its successor and assigns. In the event of a change in the Paying Agent, notice shall be given in writing, by certified mail, to each Registered Owner not less than sixty (60) days prior to the next interest payment date. The Paying Agent shall keep the official books for the recordation of the Registered Owners of the Bonds.

(b) Book-Entry-Only. The Bonds will be issued initially in book-entry-only form as one fully registered bond per maturity and will be registered in the name of Cede & Co., as bondholder and nominee for DTC. DTC will act as securities depository for the Bonds, purchase of the Bonds will be made in book-entry-only form, in the denomination of \$5,000 or any integral multiple thereof, and purchasers will not receive certificates representing their interest in Bonds purchased. Payment of principal and interest will be made by the Paying Agent to DTC. While the Bonds are held in book-entry-only form, then the Bonds shall be transferred in accordance with the procedures established by DTC. So long as the Bonds are registered to DTC or another bond depository, the Paying Agent or bond registrar shall have no responsibility with respect to such transfers. The County Treasurer shall have the authority from time to time to appoint a successor depository trustee to serve in the place of DTC. While the Bonds are issued in book-entry-only form the Paying Agent shall serve as paying agent only.

(c) Discontinuance of Book-Entry-Only. In the event the book-entry-only system is discontinued, the following provisions would apply to the Bonds. Bonds may be transferred only by submitting the same to the Paying Agent, together with a satisfactory instrument of transfer signed by the Registered Owner or his legal representative duly authorized in writing, after which a new Bond or Bonds shall be issued by the Paying Agent to the transferee (new registered owner) in denominations of \$5,000 or any integral multiple thereof, in the same aggregate principal amount as the Bond submitted for transfer. No transfer of Bonds shall be valid unless and until recorded on the bond registration books in accordance with the foregoing. The person in whose name any bond is registered may for all purposes, notwithstanding any notice to the contrary, be deemed and treated by the County and the Paying Agent as the absolute owner thereof, and any payment of principal and interest on any Bond to the Registered Owner thereof shall constitute a valid discharge of the County's liability upon such Bond to the extent of such payment. No Bond shall be transferred less than fifteen (15) days prior to an interest payment date nor after the Bond has been called for redemption. So long as the Bonds are registered to DTC or another bond depository, the Paying Agent, acting as bond registrar, shall have no responsibility with respect to such transfers.

14. Bond Form. The Bonds shall be substantially in the form attached hereto as Exhibit A, and incorporated herein, with such changes as are recommended by the County's Bond Counsel and approved by the officers of the County signing the Bonds. If the Bonds are issued as BABs (defined below), such changes shall be made to the form of the Bond as are necessary to comply with the Internal Revenue Code of 1986, as amended, and the applicable regulations thereunder (collectively the "Code").

15. Execution of Bonds. The Chairman of the Board of Commissioners of the County and the County Clerk are hereby authorized and directed to sign the Bonds, either manually or by facsimile signature, on behalf of the County. Upon execution, the Bonds shall be delivered to the purchaser thereof upon receipt of the purchase price in accordance with the accepted bid therefor, plus the accrued interest, if any, to the date of delivery.

16. Bonds Mutilated, Lost or Destroyed. If any Bond shall become mutilated, the County, at the expense of the holder of the Bond, shall execute, and the Paying Agent shall authenticate and deliver, a new Bond of like tenor in exchange and substitution for the mutilated Bond, upon surrender to the Paying Agent of the mutilated Bond. If any Bond issued under this Resolution shall be lost, destroyed or stolen, evidence of the loss, destruction or theft may be submitted to the Paying Agent and, if this evidence is satisfactory to both the County and the Paying Agent and indemnity satisfactory to the Paying Agent shall be given, the County, at the expense of the owner, shall execute, and the Paying Agent shall thereupon authenticate and deliver, a new Bond of like tenor, which shall bear the statement required by Act 354, Public Acts of Michigan, 1972, as amended, or any applicable law hereafter enacted, in lieu of and in substitution for the Bond so lost, destroyed or stolen. If any such Bond shall have matured or shall be about to mature, instead of issuing a substitute Bond, the Paying Agent may pay the same without surrender thereof.

17. Authorized Officer. Notwithstanding any other provision of this Resolution, either of Kenneth V. Miller, Director, Bay County Department of Water and Sewer, Thomas W. Paige, Assistant Director, Bay County Department of Water and Sewer, or James R. Marter, Accounting Manager (each, an "Authorized Officer") is authorized within the limitations of this Resolution to determine the title of the Bonds, the interest rate or rates, maximum interest rate, amount of discount or premium, amount of maturities, principal amount (not-to-exceed the principal amount stated in this Resolution), amount of good faith deposit, if any, denominations, dates of issuance, dates of maturities (with the final maturity no later than November 1, 2030), interest payment dates, optional and mandatory redemption rights, and term bond options.

An Authorized Officer is hereby authorized for and on behalf of the County, without further County approval, to: (a) approve the circulation of a preliminary and a final Official Statement describing the Bonds; (b) select one or more underwriters for the Bonds; (c) enter into a bond purchase agreement; (d) purchase municipal bond insurance, if considered necessary, as additional security for the bondholders; (e) apply to rating agencies for a rating on the Bonds; and (f) do all other acts and take all other necessary procedures required to effectuate the sale, issuance and delivery of the Bonds.

An Authorized Officer is further authorized to designate the Bonds, in whole or in part, as "Build America Bonds" ("BABs") and to issue the balance of the Bonds, if any, as traditional tax-exempt bonds. An Authorized Officer is authorized to elect to receive a refundable credit under Section 6431 of the Code for purposes of Section 54AA(g)(2) of the Code.

Approval by the County of the matters delegated in this section or any other sections may be evidenced by execution or approval of such documents by an Authorized Officer. An

Authorized Officer, together with the Chairman of the Board of Commissioners of the County and the County Clerk or any one or more of them, are authorized to execute any documents or certificates necessary to complete the transaction, including, but not limited to, the submission of any supporting or related documents, any certificates, receipts, orders, agreements, instruments, and any certificates relating to federal or state tax or securities laws, rules or regulations.

18. Continuing Disclosure. The County agrees to provide or cause to be provided, in accordance with the requirements of Rule 15c2-12 (the "Rule") promulgated by the Securities and Exchange Commission (a) on or prior to the last day of the sixth month after the end of the fiscal year of the County, commencing with the first fiscal year ending after the issuance of the Bonds, certain annual financial information and operating data, including audited financial statements for the preceding fiscal year (or if audited financial statements are not available, unaudited financial statements), generally consistent with the information that was contained or cross-referenced in the Official Statement relating to the Bonds, (b) timely notice of the occurrence of certain material events with respect to the Bonds, and (c) timely notice of a failure by the County to provide the required annual financial information on or before the date specified in (a) above.

19. Official Statement. An Authorized Officer, the Chairman of the Board of Commissioners of the County or the County Clerk, or any one of them, are hereby authorized and directed to approve a Preliminary Official Statement and to approve, execute and deliver the Official Statement on behalf of the County with such changes or modifications as they deem necessary in order to assure that the statements therein are true, and that it does not contain any untrue statement or material fact and does not omit a material fact necessary in order to make the statements, in light of the circumstances under which they were made, not misleading.

20. Bond Counsel and Financial Advisor. The firm of Jaffe, Raitt, Heuer & Weiss, Professional Corporation is hereby employed as bond counsel to the County for the issuance of the Bonds and the firm of ACI Finance, Inc. is employed as financial advisor to the County for the issuance of the Bonds.

21. Establishment of Funds. There is hereby established a Receiving Fund, and within the Receiving Fund these are hereby established an Operation and Maintenance Account, a Rebate Account and a Surplus Account, a Bond Interest and Redemption Fund, and a Construction Fund.

22. Receiving Fund. All Revenues shall be deposited into the Receiving Fund. Monies received into the Receiving Fund shall be transferred as set forth below.

23. Operation and Maintenance Account. Quarterly, from the Revenues deposited in the Receiving Fund, there shall first be set aside and credited to the Operation and Maintenance Account within the Receiving Fund (the "Operation and Maintenance Account") a sum sufficient to provide for the payment for the expenses of administration and operation of the System during the next succeeding quarter, including such current expenses for the maintenance thereof as may be necessary to preserve the System in good repair and working order. The County Agency, acting on behalf of the County, prior to the commencement of each Operating Year, shall adopt a budget covering the foregoing expenses for each quarter in such year with respect to the System. Any

monies remaining in the Operation and Maintenance Account at the end of any Operating Year shall be transferred to the Surplus Account within the Receiving Fund (the "Surplus Account").

24. Bond and Interest Redemption Fund. From the Revenues remaining in the Receiving Fund, after provision for the credit or deposit to the Operation and Maintenance Account, there shall be set aside and credited to the Bond and Interest Redemption Fund, which shall be maintained as a separate deposit account, on the last business day of each quarter, a sum proportionally sufficient to provide for the payment of the principal of and interest on the Bonds next becoming due as and when the same become due and payable. In determining such sufficient sum, the County Agency, acting on behalf of the County, shall take into account investment earnings which have been deposited into the Bond and Interest Redemption Fund pursuant to Section 29, below. Subject to statutory limitations thereon, moneys in the Bond and Interest Redemption Fund may be used for the redemption of Bonds. In any case, where moneys are available for the redemption of Bonds, such moneys may be used instead to purchase Bonds on the open market at the best price or prices obtainable, but not in excess of the then applicable redemption price.

25. Rebate Account. From the remaining Revenues in the Receiving Fund, following the set-asides for the Operation and Maintenance Account and the Bond and Interest Redemption Fund there shall be transferred and deposited in the Rebate Account within the Receiving Fund (the "Rebate Account"), an amount sufficient, after earnings from the various funds established under this Resolution have been credited to the Rebate Account as provided in Section 29 below, to enable the County to rebate investment earnings to the United States, if necessary, in accordance with the requirements of the Code. Funds on deposit in the Rebate Account are not pledged as security for the Bonds.

26. Surplus Account. Any remaining Revenues in the Receiving Fund at the end of each Operating Year following the set-asides for the Operation and Maintenance Account, the Bond and Interest Redemption Fund and the Rebate Account shall be transferred to the Surplus Account. Monies in the Surplus Account may be transferred to other funds established hereunder or may be used for such lawful purpose or purposes as the County Agency, acting on behalf of the County, may determine to be in the best interest of the County. In the event that monies in the Receiving Fund are insufficient to provide for the current requirements of the Operation and Maintenance Account, the Bond and Interest Redemption Fund or the Rebate Account, any monies and/or securities in the Surplus Account shall be transferred first to the Operation and Maintenance Account, second to the Bond and Interest Redemption Fund and thereafter to the Rebate Account to the extent of any deficiencies therein. To the extent that the County makes payment from taxes or any of its general funds pursuant to its full faith and credit pledge hereunder, the County shall be reimbursed from Net Revenues subsequently received which are not otherwise pledged or encumbered. Accordingly, the monies transferred to the Surplus Account shall be transferred to the County's general funds to effect such reimbursement prior to their transfer to any other funds under this Resolution; provided, however, the monies on deposit to the credit of the Surplus Account will first be used to pay any amounts owing under the Bonds.

27. Construction Fund. Except as hereinafter provided to the contrary, monies in the Construction Fund, which shall be maintained as a separate deposit account, shall be used solely for

the purposes of paying Project Costs. Subject to the last sentence of this paragraph of Section 27, the County Agency, acting on behalf of the County shall not authorize the payment of any monies for construction work until there shall have been first filed with it by the Engineer a written statement to the effect that the sum to be paid is in full or partial payment of a contract obligation in connection with said Project, that the work has been completed in accordance with the plan specifications therefor, that it was done pursuant to and in accordance with the contract therefor, that such work is satisfactory and that such work has not been previously paid for. Such statement of the Engineer shall also show the amount of construction estimates which have been theretofore approved by him for payment, and the amount of funds which will be required for the completion of the Project. Anything in the immediately preceding two sentences to the contrary notwithstanding, if monies in the Construction Fund are being used to reimburse the County Agency, acting on behalf of the County, for the benefit of the DWS, for the Project Costs paid prior to but in anticipation of the issuance of the Bonds, the County Agency, acting on behalf of the County, for the benefit of the DWS, shall not authorize such reimbursement until there shall have been first filed with it by the Engineer a written statement to the effect that the sum to be paid is in reimbursement of full or partial payment by the County Agency, acting on behalf of the County, for the benefit of the DWS, of a contract obligation in connection with said Project, that the work has been completed in accordance with the plan specifications therefor, that it was done pursuant to and in accordance with the contract therefor, that such work is satisfactory and that the Engineer has received satisfactory proof that the County Agency, acting on behalf of the County, for the benefit of the DWS, has previously paid the amount for which reimbursement is sought.

Any proceeds remaining in the Construction Fund on the third anniversary of the date of issuance of the Bonds shall be invested as set forth in the Non-Arbitrage and Tax Compliance Certificate executed by the County in conjunction with the issuance of the Bonds. In the event Additional Bonds are issued hereunder, proceeds of such Bonds in the Construction Fund shall be invested as set forth in the Non-Arbitrage and Tax Compliance Certificate executed by the County in conjunction with such Additional Bonds. Any proceeds remaining in the Construction Fund after the Completion Date shall be transferred to the Bond and Interest Redemption Fund to be used to pay principal due on the Bonds at that time or on the next succeeding date that principal on the Bonds is scheduled to be paid or on the next succeeding date that the Bonds are subject to redemption hereunder.

28. Proceeds of the Bonds. From the proceeds of the sale of the Bonds there shall be immediately deposited in the Bond and Interest Redemption Fund an amount equal to the accrued interest and premium, if any, received on delivery of the Bonds and the County Agency, acting on behalf of the County, shall receive a credit for the amount so deposited against the amount required to be deposited in the Bond and Interest Redemption Fund for payment of the next maturing interest on the Bonds. There shall also be deposited in the Bond and Interest Redemption Fund, the amount of capitalized interest, if any, on the Bonds.

The remaining proceeds of the sale of the Bonds shall be deposited in the Construction Fund.

29. Investment Earnings. Earnings from the investment of any amounts held in any fund hereunder except the Bond and Interest Redemption Fund and the Construction Fund shall remain in such fund and shall be disposed of as provided in the section hereof applicable to such fund. Except as otherwise provided in this Section 29, earnings from the investment of any amounts held in the Construction Fund and the Bond and Interest Redemption Fund shall be deposited first to the credit of the Rebate Account to the extent necessary to enable the County to rebate investment earnings to the United States and thereafter to the Bond and Interest Redemption Fund for the payment of the principal of, and interest on the Bonds, as and when the same become due and payable during the next succeeding twelve months following such deposit. Notwithstanding the foregoing, earnings from the investment of amounts held in the Construction Fund prior to the completion of the Project shall be deposited first to the credit of the Rebate Account to the extent necessary to enable the County to rebate investment earnings to the United States and thereafter to the credit of the Construction Fund to be used to pay Project Costs.

30. Operating Year. The operating year ("Operating Year") of the County with respect to the System shall commence on January 1 of each year and shall end on December 31 of each year.

31. Management. The operation, repair and management of the System and the construction, operation, repair and maintenance of the Project shall be under the supervision and control of the Board of County Road Commissioners pursuant to Act 342, acting for and on behalf of the DWS.

32. No Free Service or Use. No free service or use of the System shall be furnished to any other person, firm or corporation, public or private, or to any public agency or instrumentality.

33. Rate Covenants. The rates currently in effect for the System are estimated to be sufficient to provide for the payment of all items described in Sections 23 and 24 hereof. The County, acting through the County Agency, hereby covenants and agrees to maintain at all times rates, fees and charges for services provided by and for use of the System as shall be sufficient to provide for the payment of the expenses of administration, operation and the maintenance of the System and as may be necessary to preserve the same in good repair and working order, and to provide for the payment of principal of and interest on the Bonds, as and when the same become due and payable, including the funding of all of the funds and accounts established hereunder. Notwithstanding the foregoing, rates that are fixed or established pursuant to a contract or lease shall not be subject to revision or change except in the manner provided in such lease or contract. The rates, fees and charges for services provided by and for use of the System shall be those permitted by law and established by the County, acting through the County Agency, and in effect on the date of adoption of this Resolution. Those rates, fees and charges are hereby approved by the County, acting through the County Agency,

34. Tax Matters. The County covenants and agrees that to the extent permitted by law, it shall take all actions within its control and that it shall not fail to take any action as may be necessary to maintain the exclusion of the interest on the Bonds that are issued as tax-exempt Bonds from gross income for federal income tax purposes, including, but not limited to, actions relating to the rebate of arbitrage earnings and the expenditure and investment of Bond proceeds and monies

deemed to be Bond proceeds, all as more fully set forth in a Non-Arbitrage and Tax Compliance Certificate to be delivered upon issuance of the Bonds and upon issuance of any Additional Bonds that are issued as tax-exempt Bonds in a form to be provided by bond counsel.

35. Other Covenants. The County, acting through the County Agency, hereby covenants and agrees with the Registered Owners of the Bonds that so long as any of the principal of, redemption premium, if any, or interest on the Bonds remains unpaid, it will.:

(a) punctually perform all duties with respect to the System and the Bonds required by law and this Resolution.

(b) construct the Project in substantial compliance with the plans and specifications herein approved.

(c) not sell, lease, mortgage or in any manner dispose of the System or any substantial part thereof until the Bonds shall have been paid in full.

(d) maintain the System in good repair and working order and will operate the System efficiently and at a reasonable cost and will faithfully and punctually perform all duties with reference to the System required by the Constitution and the laws of the State of Michigan and this Resolution.

(e) cause to be maintained and kept by the County proper books of record and account with respect to the System, separate from all other records and accounts of the County and will prepare and keep and file such records, statements of account and other reports as may be required by Act 94 as now or hereafter amended.

(f) maintain and carry insurance on all physical properties of the System, in an amount necessary to provide for the repair or replacement of such physical properties and shall maintain and carry liability insurance of the kind and in the amount normally carried by entities, whether public or private, engaged in the operation of a sewage disposal system.

(g) use its best efforts to enforce any contracts or leases to which it is a party regarding the use of any part of the System.

(h) pay the Bonds as provided herein notwithstanding any damage, destruction, condemnation or action of eminent domain against the Project or the System or any portion thereof.

36. Permitted Investments and Depository. Monies held in any of the funds and accounts established hereunder may be invested in any manner permitted by law. Any monies held in any of the funds established hereunder shall be deposited with one or more banks, savings and loan associations or credit unions selected by the County Agency, acting on behalf of the County Treasurer.

37. Additional Bonds and Outstanding Indebtedness. While the Bonds are outstanding, no Additional Bonds payable from Revenues shall be issued which shall have a prior standing to the Bonds. While the Bonds are outstanding, no bonds payable from Revenues shall be issued which are of equal or junior standing with the Bonds, except as hereinafter provided.

Subject to the conditions hereinafter provided, the County shall have the right to issue Additional Bonds of equal standing with the Bonds and any other Bonds previously issued (i) for the completion of the Project if the proceeds from the sale of the Bonds and Bonds previously issued, if any, and other monies available to the County shall prove to be insufficient therefor; (ii) for the purpose of improving, enlarging, extending and/or repairing the Project, or (iii) to provide funds for redeeming, prior to maturity or at maturity, all or any part of the Bonds or any Additional Bonds. The amount of such Additional Bonds may include amounts needed for payment of (A) redemption premiums, if any, and interest to accrue to the earliest redemption date or the stated payment date or dates, (B) costs of issuing such Additional Bonds, and (C) to the extent necessary, interest during the period of construction and until full Revenues are developed, on such Additional Bonds or on any Bonds previously issued for the Project.

No such Additional Bonds of equal standing with the Bonds shall be issued unless the County, acting through the County Agency, is reasonably satisfied that the actual Net Revenues for the then last preceding fiscal year shall be sufficient to pay the maximum annual principal and interest to be paid during the then current and any subsequent Operating Year on all outstanding Bonds and the Additional Bonds to be issued (exclusive of the principal and interest requirements on any Bonds which are to be refunded with the proceeds of such Additional Bonds and exclusive of the principal and interest requirements on any Bonds which have theretofore been refunded, if any).

The actual Net Revenues shall be used in making the foregoing determination unless the County acting through the County Agency, shall raise the then effective rates at the time of authorizing such Additional Bonds, in which case the Net Revenues for the last preceding fiscal year shall be augmented to an amount reflecting the effect of such increase had the billings during such fiscal year been at the increased rates. Such additional Net Revenues shall be estimated by a Registered Professional Engineer who shall be selected by the County Agency, acting on behalf of the County, but who shall not be a regular officer or employee of the County or of the County Agency.

No such Additional Bonds shall be issued if the County shall then be in default in making payments to the Operation and Maintenance Fund or the Bond and Interest Redemption Fund.

Before any Additional Bonds shall be issued, the County shall adopt a resolution authorizing the issuance of such Additional Bonds, fixing the amount and the details thereof, describing in brief and general terms the purposes for which the Additional Bonds are issued and estimating the cost thereof. The terms and conditions of any such Additional Bonds shall be set by the County at the time of issuance of such Additional Bonds, provided, that such Additional Bonds shall be on a parity with and of the same priority of lien with and shall be entitled to the same

benefit and security of this Resolution as the Bonds and any Additional Bonds theretofore issued and outstanding.

38. Resolution to Constitute Contract. In consideration of the purchase and acceptance of the Bonds by those who shall hold the same from time to time, this Resolution shall be deemed to be and shall constitute a contract between the County and the Registered Owners of the Bonds; and the pledge made and lien granted in this Resolution and the covenants and agreements herein set forth to be performed on behalf of the County shall be for the equal benefit, protection and security of the Registered Owners of the Bonds.

39. Supplemental Resolutions with Approval of Registered Owners. Subject to the terms and provisions contained in this Section, and not otherwise, the Registered Owners of not less than fifty-one percent (51%) in principal amount of the Bonds shall have the right, from time to time, to consent to and approve the adoption by the County of such resolution or resolutions supplemental hereto as shall be deemed necessary or desirable by the County for the purpose of modifying, altering, amending, adding to or rescinding any of the terms or provisions contained in this Resolution or in any supplemental resolution; provided, however, that the rate of interest borne by the Bonds, the maturity of the Bonds or terms of the payment thereof may only be changed by unanimous consent of all Registered Owners of the Bonds sought to be so changed.

If at any time the County shall propose to adopt any supplemental resolution for any of the purposes of this Section 39, the Clerk of the County shall cause notice of the proposed adoption of such supplemental resolution to be mailed, postage prepaid, to the Registered Owners of the Bonds entitled to approve such supplemental resolution, at their addresses as they appear on the registration books of the Transfer Agent. The notice shall briefly set forth the nature of the proposed supplemental resolution and shall state that copies thereof are on file at the offices of the County Clerk for inspection by all Registered Owners. Failure to mail the notice required by this Section 39 shall not affect the validity of such supplemental resolution when consented to and approved as provided in this Section 39.

Whenever, at any time within one year after the date of the mailing of such notice, the County shall procure an instrument or instruments in writing purporting to be executed by the applicable proportion of Registered Owners set forth above, which instrument or instruments shall refer to the proposed supplemental resolution described in such notice and shall specifically consent to and approve the adoption thereof in substantially the form of the copy thereof referred to in such notice, thereupon, but not otherwise, the County may adopt such supplemental resolution in substantially such form, without liability or responsibility to any Registered Owners entitled to approve such supplemental resolution (unless unanimous consent is required), whether or not such Registered Owners shall have consented thereto.

If the applicable proportion of Registered Owners entitled to approve such supplemental resolution at the time of the adoption thereof shall have consented to and approved the adoption thereof as herein provided, no Registered Owners of the Bonds shall have any right to object to the adoption of said supplemental resolution, or to object to any of the terms and provisions contained therein or the operation thereof, or in any manner to question the propriety of the adoption thereof

or to enjoin or restrain the County from adopting the same or from taking any action pursuant to the provisions thereof.

Upon the adoption of any supplemental resolution pursuant to the provisions of this Section 39, this Resolution shall be deemed to be modified and amended in accordance therewith, and the respective rights, duties and obligations under this Resolution of all Registered Owners of the Bonds shall thereafter be determined, exercised and enforced hereunder, subject in all respect to such modifications and amendments.

40. Release of Lien and Defeasance of the Bonds. If the Bonds shall have become due and payable in accordance with their terms or otherwise as provided in this Resolution or are to be paid at their maturity or shall have been duly called for redemption, and the whole amount of the principal and interest and the redemption premium, if any, so due and payable upon the Bonds then outstanding shall be paid or sufficient cash, or noncallable Government Obligations, the principal of and interest on which, when due and payable, will provide sufficient monies, shall be deposited in a separate account with a bank or trust company and held in trust for Registered Owners for such purpose, and sufficient funds shall also have been provided for paying all other obligations payable hereunder, then and in that case, upon such transfer of funds to such bank or trust company pursuant to an escrow agreement specifying the terms and conditions upon which such funds are to be held and the Bonds and such other obligations are to be paid, and receipt of a verification report prepared by a nationally recognized accounting firm to the effect that such funds are sufficient to pay the Bonds and such obligations when due and payable, the Bonds shall be deemed to be paid in full and the statutory lien herein created for the benefit of the Registered Owners of the Bonds shall thereupon cease, terminate and become void, and all the remaining property held under this Resolution and all balances remaining in all funds and accounts established under this Resolution, other than money held for the redemption or payment of the Bonds and interest thereon and other than money held in the Construction Fund needed for the completion of the Project shall become the property of the County Agency, free from the lien created by this Resolution. Thereupon, the Registered Owners shall have only the right to payment from the deposited funds and for rights of replacement, registration and transfer of the Bonds and the Bonds shall no longer be considered to be outstanding under this Resolution.

41. Repeal, Savings Clause. All ordinances, resolutions or orders or parts thereof in conflict with the provisions of this Resolution are to the extent of such conflict repealed.

42. Additional Authority. An Authorized Officer and the appropriate officers, agents and employees of the County and the County Agency, acting on behalf of the County, are authorized to take all other actions necessary and convenient to facilitate the sale and issuance of the Bonds including, without limitation, the execution and delivery of an Issuer's Certificate and a Non-Arbitrage and Tax Compliance Certificate, and such other documents and certificates as may be necessary or appropriate in connection with issuance of the Bonds and the transactions contemplated in this Resolution.

43. Severability, Paragraph Headings and Conflict. If any section, paragraph, clause or provision of this Resolution shall be held invalid, the invalidity of such section, paragraph, clause or

provision shall not affect any of the other provisions of this Resolution. The paragraph heading in this Resolution are furnished for convenience of reference only and shall not be considered to be part of this Resolution.

44. Applicable Law. The Bonds shall be sold and the proceeds applied in accordance with the provisions of Act 342 and Act 94.

45. Effective Date. This Resolution shall be effective upon adoption.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by Board of Commissioners of the County of Bay at its regular meeting held on April 13, 2010 at 4:00 p.m., Detroit time, and that said meeting was conducted and public notice of said meeting was given to and in full compliance with the Open Meetings Act, being Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

I further certify that the following members were present at said meeting:

and that the following members were absent:

I further certify that Commissioner _____ moved adoption of said resolution and that Commissioner _____ supported said motion.

I further certify that the following members voted for adoption of said resolution:
Commissioners:

Clerk of the Commission

EXHIBIT A

UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF BAY
BAY COUNTY WEST SIDE REGIONAL
SEWAGE DISPOSAL SYSTEM
REVENUE BOND
(GENERAL OBLIGATION LIMITED TAX),
SERIES 2010

Interest Rate	Maturity Date	Date of Original Issue	Registration Number
		_____ 1, 2010	R-

REGISTERED OWNER:

PRINCIPAL AMOUNT:

The County of Bay, State of Michigan (the "Issuer"), for value received, hereby promises to pay the Principal Amount specified above, in lawful money of the United States of America to the Registered Owner shown above, or registered assigns, on the Maturity Date specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon from the Date of Original Issue shown above, or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, payable on November 1, 2010 and semiannually thereafter. Principal of this bond is payable upon surrender of this bond at the office of the Paying Agent, or such other transfer agent as the Issuer may hereafter designate by notice mailed to the registered owner not less than 60 days prior to the date of any change in transfer agent. Interest on this bond is payable by check or draft mailed to the person or entity who is, as of the fifteenth (15th) day of the month preceding the interest payment date, the registered owner of record, at the registered address as shown on the registration books of the Issuer kept by the transfer agent.

For prompt payment of principal and interest on this bond, the Issuer has irrevocably pledged the revenues of the West Side Regional Sewage Disposal System of the Issuer (the "System"), including all appurtenances, extensions and improvements thereto, after provision has been made for reasonable and necessary expenses of operation, maintenance and administration, (the "Net Revenues") and a statutory first lien thereon is hereby recognized and created.

Pursuant to the authorization provided in Act 342, Public Acts of Michigan, 1939, as amended ("Act 342") and as additional security, the Issuer, by resolution of its Board of Commissioners, has pledged to this issue of bonds, its full faith and credit for the prompt payment of the principal of, premium, if any, and interest hereon when due and if Net Revenues pledged for the payment of the bonds of this issue are insufficient to pay the principal of, premium, if any, and interest hereon when due, the Treasurer of the Issuer shall advance the amount thereof from funds of the Issuer. The full faith and credit pledge of the Issuer is a limited tax general obligation, and the Issuer is required to pay its debt service obligations from its general funds, including the collection of ad valorem taxes which it is authorized to levy. However, the ability of the Issuer to levy such taxes is subject to constitutional, statutory and charter limitations. To the extent the Issuer makes payment on the bonds of this issue pursuant to its full faith and credit pledge, the Issuer shall be reimbursed from Net Revenues subsequently received from the System to the extent such revenues are not otherwise pledged or encumbered.

This bond is one of a series of bonds of even date of original issue, aggregating the principal sum of \$_____ issued pursuant to a Resolution, duly adopted by the Board of Commissioners of the Issuer, and under and in full compliance with the Constitution and statutes of the State of Michigan, including specifically Act 94, Public Acts of Michigan, 1933, as amended ("Act 94") and Act 342, for the purpose of paying the cost of acquiring and constructing additions and improvements to the System.

For a complete statement of the revenues from which and the conditions under which this bond is payable, a statement of the conditions under which additional bonds of equal standing may hereafter be issued and the general covenants and provisions pursuant to which this bond is issued, reference is made to the above-described Resolution.

Bonds maturing on May 1, 2011 through May 1, 2020, inclusive, shall not be subject to optional redemption prior to maturity. Bonds or portions of bonds maturing on or after May 1, 2021, in multiples of \$5,000, inclusive, shall be subject to redemption prior to maturity at the option of the Issuer, in such order of maturity as the Issuer shall determine and within a single maturity by lot, on any interest payment date on or after May 1, 2020, at par and accrued interest to the date fixed for redemption.

Notice of redemption of any bond or portion thereof shall be given by the Paying Agent at least thirty (30) days prior to the date fixed for redemption by mail to the registered owner at the registered address shown on the registration books kept by the Paying Agent. Bonds shall be called for redemption in multiples of \$5,000 and any bond of a denomination of more than \$5,000 shall be treated as representing the number of bonds obtained by dividing the denomination of the bond by \$5,000 and such bond may be redeemed in part. Notice of redemption for a bond redeemed in part shall state that upon surrender of the bond to be redeemed a new bond or bonds in aggregate principal amount equal to the unredeemed portion of the bonds surrendered shall be issued to the registered owner thereof. No further interest on a bond or portion thereof called for redemption shall accrue after the date fixed for redemption, whether presented for redemption or not, provided funds are on hand with the Paying Agent to

redeem the bond or portion thereof.

The Issuer has covenanted and agreed, and does hereby covenant and agree to fix and maintain at all times while any bonds payable from the Net Revenues of the System shall be outstanding, such rates for service furnished by the System as shall be sufficient to provide for payment of the interest upon and the principal of the bonds of this issue and any additional bonds of equal standing as and when the same shall become due and payable, to provide for the payment of expenses of administration and operation and such expenses for maintenance of the System as are necessary to preserve the same in good repair and working order, and to provide for such other expenditures and funds for the System as are required by said Resolutions.

This bond is transferable only upon the books of the Issuer kept for that purpose at the office of the transfer agent by the registered owner in person or the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the transfer agent, duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the Resolution authorizing the bonds, and upon payment of the charges, if any, therein prescribed.

This bond is not valid or obligatory for any purpose until the transfer agent's Certificate of Authentication on this bond has been executed by the transfer agent.

It is hereby certified and recited that all acts, conditions and things required by law precedent to and in the issuance of this bond and the series of bonds of which this is one have been done and performed in regular and due time and form as required by law and that the total indebtedness of the County, including the series of bonds of which this is one, does not exceed any constitutional or statutory limitation, and that the full faith and credit of the County is hereby pledged for the prompt payment of this bond and interest hereon, when due, subject to constitutional, statutory and charter limitations.

IN WITNESS WHEREOF, the County of Bay, State of Michigan, by its Board of Commissioners, has caused this bond to be executed with the facsimile or manual signatures of its Chairman and its County Clerk and the corporate seal of the County to be printed on this bond, all as of the Date of Original Issue.

COUNTY OF BAY

By: _____
Chairman of the Board of Commissioners

(Seal)

Countersigned:

County Clerk

Date of Registration:

Certificate of Authentication

This bond is one of the bonds described in the within-mentioned Resolutions.

U.S. BANK
Paying Agent

Authorized Signatory

1871460.03

BAY COUNTY BOARD OF COMMISSIONERS
4/13/10

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (4/6/10)

RESOLVED That, subject to the approval of the County Election Scheduling Committee, the following ballot question be submitted to the electors of this County on November 2, 2010, for the purpose of renewing the property tax limitation by 1 of a mill for the purpose of funding general operations, programs and services of the Bay County Library System; And Be It Further

RESOLVED That the question to be submitted to said electors at said election shall be in the following form:

MILLAGE PROPOSAL FOR BAY COUNTY LIBRARY SYSTEM

Shall the limitation on the amount of general ad valorem taxes which may be imposed each year for all purposes upon real and personal property within the County of Bay under Article IX, Section 6 of the Michigan Constitution be renewed for 1 mill (which is equal to \$1.00 per \$1,000 of taxable value) for the period of four (4) years, 2011 through 2014, inclusive, for the purpose of funding general operations, programs and services of the Bay County Library System? The amount of revenue the County will collect if that millage is approved and levied by the County in the first year is estimated to be \$ _____. The proposal is a renewal of the current millage.

Y e s

No

RESOLVED That the County Clerk submit this resolution to the County Election Scheduling Committee forthwith; And Be It Further

RESOLVED That changes as to form made by Corporation Counsel are permitted.

DONALD J. TILLEY, CHAIR

AND COMMITTEE

Library Operating Millage Renewal - Ballot Question - November

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Mallette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglck				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
 AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

4/13/10

RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (4/6/10)
- WHEREAS, On September 29, 2009, the Bay County Board of Commissioners adopted resolution no 2009-193 designating the County of Bay, State of Michigan as a "Recovery Zone" within the meaning of the American Recovery and Reinvestment Act of 2009 (ARRA); and
- WHEREAS, On November 4, 2009 letters were sent to all Bay County units of government seeking applications for RZEDB allocations with a deadline for submittal of applications being March 15, 2010; and
- WHEREAS, Bay County's allocation from the Federal Recovery Zone Economic Development Bond Program is \$6,612,000; and
- WHEREAS, Applications for funding have been submitted by the City of Bay City and Pinconning Township; Therefore, Be it
- RESOLVED That the Bay County Board of Commissioners hereby approves Recovery Zone Economic Development Bond allocations as follows:
1. City of Bay City - \$5,862,000 to complete street, water and sewer infrastructure projects in 2010.
 2. Pinconning Township - \$750,000 to construct an approximate 3 mile 12" water line extension as well as improvements to their M-13 water main from Cody Estey Road north to Bay-Arenac Road.
- RESOLVED That the Chairman of the Board is authorized to execute any and all documents required to process the funding allocation as required by American Recovery and Reinvestment Act of 2009 (ARRA) following legal review/approval.

DONALD J. TILLEY, CHAIR

AND COMMITTEE

ARRA Funds - City of Bay City; Pinconning Township

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Malllette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglck				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS**4/13/10****RESOLUTION**

- BY: WAYS AND MEANS COMMITTEE (4/6/10)
- WHEREAS, The Governor's proposed FY 10-11 budget includes moving \$2.6 million from the Sheriff's Secondary Road Patrol fund to the Michigan State Police budget to fund troopers and radios (\$2.2 for troopers - \$400,000 MPSCS radio); and
- WHEREAS, It is estimated that this action would cause the layoff of at a minimum 30 deputies statewide and, in all likelihood, the impact would be even greater; and
- WHEREAS, The Secondary Road Patrol is funded by a \$10.00 assessment on all moving traffic violations and, since 2003, no General Fund contribution has been included in its funding; and
- WHEREAS, The Michigan State Police, through enabling legislation, receive a like assessment of \$10.00 for trooper funding; and
- WHEREAS, The Secondary Road Patrol is a successful program spanning 30 years and is monitored for compliance with provisions of PA 416 by the Office of Highway Safety Planning which has stated in the 2008 Secondary Road Patrol Annual Report that "OHSP believes the Secondary Road Patrol Program has played a significant role in Michigan's traffic safety picture and that having a visible law enforcement presence on secondary roads has had a positive impact on driver behavior"; and
- WHEREAS, The Sheriffs are audited to insure they are NOT using state funds to "supplant" county general funds for officers, however, if the transfer takes place that is exactly what the State is doing; and
- WHEREAS, Should this proposal be implemented, it will require the 416 Act to be opened and amended, at which time the fund could be further depleted by additional amendments for various other "worthy" causes; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners goes on record opposing the proposal to move \$2.6 million from the Sheriff's Secondary Road Patrol fund to the Michigan State Police budget to fund troopers and radios; Be It Further
- RESOLVED That a copy of this resolution be forwarded to Governor Granholm, our State Legislators, the Michigan Association of Counties and the other 82 Michigan counties.

DONALD J. TILLEY, CHAIR
AND COMMITTEE

Sheriff Dept - Governor's Budget Proposal

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Mallette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

-24-

No. 2010-57

BAY COUNTY BOARD OF COMMISSIONERS
4/13/10

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (4/6/10)

WHEREAS, Since 1985, the Bay County Prosecutor's Office has been the recipient of a State grant provided to Prosecuting Attorney's offices to fund Crime Victim services with expansion of the program in 1994; and

WHEREAS, The Bay County Prosecutor has been notified of approval of Victim Rights funding for FY 2010-2011 in the amount of \$123,175; and

WHEREAS, There is no county match required for this grant and there are no tax dollars expended for this grant which is funded from monies from defendants who have been convicted of a crime; and

WHEREAS, The Crime Victim Rights funding covers two (2) full-time employees for the Victim Rights Unit in the Prosecutor's Office; Therefore, Be It

RESOLVED By the Bay County Board of Commissioners that the Crime Victim Rights Funding Agreement for the Prosecutor's Office for FY 2010-2011 is approved and the Chairman of the Board authorized to execute said Agreement and related documents on behalf of Bay County following legal review; And Be It Further

RESOLVED That it is understood that if grant funding for the Crime Victim Rights Program is terminated, Bay County shall not be responsible to fund the positions (2) or absorb up any costs associated with the positions; Be It Finally

RESOLVED That budget adjustments, if required, are approved.

DONALD J. TILLEY, CHAIR
AND COMMITTEE

Pros - CrimeVictimRights-2010-2011

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Mallette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglck				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

- 25 -

BAY COUNTY BOARD OF COMMISSIONERS

4/13/10

RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (4/6/10)
- WHEREAS, Since 2000, the Bay County Prosecutor, with Board approval, received Federal Victims of Crime Act (VOCA) Grant funding to enhance the services to domestic violence and child sexual assault victims; and
- WHEREAS, An additional victim advocate was hired and is paid for entirely by the VOCA grant; and
- WHEREAS, The VOCA grant is an 80%/20% grant and the County's 20% match is in-kind with no direct County dollars being spent for the position; and
- WHEREAS, The Prosecutor again wishes to apply for VOCA grant funding in the amount of \$67,027 for the 2010-2011 grant cycle to continue services to domestic violence and child sexual abuse victims; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners approves the Prosecutor's Victims of Crime Act (VOCA) grant application in the amount of \$67,027 for the 2010-2011 grant period and authorizes Chairman of the Board to execute said grant application and resulting grant contract and related documents on behalf of Bay County, subject to favorable review by Corporation Counsel; Be It Finally
- RESOLVED That it is understood that if grant funding for the Victim Advocate position(s) under the VOCA grant is terminated, Bay County shall not be responsible to fund the position or pick up any costs associated with this position; Be It Finally
- RESOLVED That budget adjustments, if required, are approved.

BRIAN K. ELDER, CHAIR
AND COMMITTEE

Pros-VOCA-2010-11

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Maillette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____

AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

4/13/10

RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (4/6/10)
- WHEREAS, The Bay Area Storm Water Authority (BASWA) continues to administer the overall community storm water quality requirements imposed under the Federal Clean Water Act and as part of the program MDNRE has required involvement of 4 of the 5 school districts in Bay County; and
- WHEREAS, In 2006 the Bay County Board of Commissioners agreed to allow the school district to fall under the County's program as "nested jurisdictions" and the districts have worked with BASWA as necessary since that time; and
- WHEREAS, The original agreements with the school districts expired in 2008 and new program requirements necessitate a greater degree of involvement from the school districts in 2010 and an agreement must be in place to continue the relationship; and
- WHEREAS, There is no direct cost associated with the agreement and any additional work will be incorporated into the administrative support currently provided to BASWA by the County through the Office of the Drain Commissioner; and
- WHEREAS, Fees associated with the agreement go to BASWA to assist with carrying out its mission; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners approves the updated Agreements between Bay County and four Bay County School Districts which address NPDES related storm water quality requirements; Be It Further
- RESOLVED That the Chairman of the Board is authorized to execute said Agreements on behalf of Bay County following legal review/approval; Be It Finally
- RESOLVED That any related budget adjustments, if required, are approved.

DONALD J. TILLEY, CHAIR
AND COMMITTEE

BASWA - NPDES - School District Agts

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Malliette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

4/13/10

RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (4/6/10)
- WHEREAS, The Bay County 18th Circuit Court- Family Division has been operating a Family Treatment Court since January 2008 and is very please with the results to date with this intensive program which aims to maintain the family relationship while keeping children safe from abuse and neglect caused by parental substance abuse; and
- WHEREAS, The Court uses a community-based team approach with intensive, individualized treatment and rehabilitation services with families where substance abuse is an identified issue and this program met with success; and
- WHEREAS, The Office of Juvenile Justice and Delinquency Prevention (OJJDP) recently announced that it is seeking applications for funding under the OJJDP Fiscal Year 2010 Family Drug Court Program; and
- WHEREAS, The funding is to be used to either implement new drug courts or enhance pre-existing drug courts for substance-abusing adults involved with the family dependency court as a result of child abuse and neglect issues; and
- WHEREAS, OJJDP will make awards of up to \$350,000 per award for up to 3 years for enhancement grants and while there is a 25% match required, most of the match can be met with in-kind contributions; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners designates the 18th Circuit Court - Family Division as its representative for the purpose of applying for the OJJDP Fiscal Year 2010 Family Drug Court Program funds and authorizes the Board Chair to sign required documents on behalf of Bay County following legal review/approval; Be It Further
- RESOLVED That budget adjustments required are approved.

DONALD J. TILLEY, CHAIR

AND COMMITTEE

Probate Court - Family Treatment Court Grant

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Maillette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglck				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

4/13/10

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (4/13/10)

WHEREAS, Article XIII of the Rules of the Bay County Board of Commissioners outlines a process for consideration of ordinance and ordinance amendments, which requires at least three (3) successive full Board meetings. The process is as follows:

1. The sponsoring committee considers an ordinance or amendment and refers it to the full Board;
2. The Board rejects or considers the amendment. If the Board elects to consider the ordinance or amendment, a public hearing must be held but not until the NEXT Board meeting (must be convened after 13 days) after publication of proper notice;
3. If the Board conducts a public hearing, no Board action on the ordinance or amendment may be taken only public input heard and, if any input, those comments are referred back to the sponsoring committee and legal counsel for consideration;
4. At the next Board meeting, following publication of proper notice, the Board may vote for final passage of the proposed ordinance or amendment by majority vote

WHEREAS, An alternative process is also provided for in the Board Rules whereby the Board can elect to suspend Article XIII by a 2/3rds majority vote, bypass the requirements (1 through 4 above) and vote on the Ordinance or Ordinance Amendment before them; Therefore, Be It

RESOLVED By the Bay County Board of Commissioners that, for the sake of expediency, **Article XIII of the Rules of the Bay County Board of Commissioners is hereby suspended** for the adoption of Amendments to the Bay County Employees' Retirement System Ordinance.

BRIAN K. ELDER, CHAIR
AND BOARD

Waiver of Ordinance Adoption Process - 2010

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Mallette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglick				Klm Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS
4/13/10

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (4/13/10)

RESOLVED By the Bay County Board of Commissioners that the attached amendments pertaining to the Board of Trustees of the Bay County Employees' Retirement System Ordinance are adopted, with an effective date upon publication that the Ordinance has been amended.

BRIAN K. ELDER, CHAIR
AND BOARD

Retirement Ord-Amendment - Board of Trustees

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Maillette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglck				Klm Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

4.008 Board of Trustees--Creation; composition; compensation.

Sec. 8.

- (a) The Bay County Retirement System Board of Trustees is hereby created. The Board shall consist of the following nine (9) trustees:
 - (i) The chairperson of the Bay County Board of Commissioners ex-officio or his/her designee. Any designee appointed by the Chairman of the Bay County Board of Commissioners must also be a member of the Bay County Board of Commissioners;
 - (ii) The chairperson of the Ways and Means Committee of the Bay County Board of Commissioners ex officio or his/her designee. Any person appointed by the chairperson of the Ways and Means Committee of the Bay County Board of Commissioners must also be a member of the Bay County Board of Commissioners;
 - (iii) The Treasurer of Bay County or the Deputy Treasurer, if designated by the Treasurer;
 - (iv) The chairperson of the Bay County Board of Human Services ex officio or his/her designee. Any person appointed by the chairperson of the Bay County Board of Human Services must also be a member of the Bay County Board of Human Services;
 - (v) The chairperson of the Bay-Arenac Behavioral Health Authority Board of Directors or his/her designee. Any designee appointed may be another director or the authority director or chief financial officer and may not be a county commissioner;
 - (vi) A member of the Retirement System who is employed by the Bay County Road Commission or the Department of Water and Sewer, as long as the Department of Water and Sewer remains under the jurisdiction of the Bay County Road Commission, and is elected as a trustee as provided in Subsection (b) of this section;
 - (vii) A member of the Retirement System who is employed by the Bay County Medical Care Facility and is elected as a trustee as provided in Subsection (b) of this section;
 - (viii) A member of the Retirement System who is employed by a county department or agency that is not the Bay County Road Commission, the Department of Water and Sewer, the Bay County Sheriff's Office, the Bay

County Library System or the Bay County Medical Care Facility and is elected as a trustee as provided in Subsection (b) of this section;

- (ix) A member of the Retirement System who is either employed by the Bay County Sheriff's Office and is a member of the Road Patrol Group, the Road Patrol Supervisors Unit Group, the Correctional Facility Officers Group, or who is employed by the Bay County Library System, and is elected as a trustee as provided in Subsection (b) of this section.
- (b) The Board shall establish rules and regulations for trustee elections required by subsections (vi), (vii), (viii) and (ix).
- (c) The Bay County Board of Commissioners may establish the per diem compensation for trustees. Trustees shall also be reimbursed, as determined by the Board, for actual and necessary expenses incurred, to attend meetings of the Board and to perform services required by the Board.

4.010 Board of Trustees--Meetings; quorum; voting; officers.

Sec. 10.

- (a) The Board shall hold meetings regularly, at least one in each calendar quarter, and shall adopt its own rules of procedure.
- (b) Five trustees shall constitute a quorum of the Board.
- (c) Each trustee shall be entitled to one vote on each question before the Board. At least five concurring votes shall be required for a valid action by the Board.
- (d) At the first Board meeting for each calendar year, the Board shall elect from its membership a chairperson and a vice chairperson. The chairperson and vice chairperson shall take office immediately upon election.
- (e) The Bay County Executive or his/her designee shall serve as the Secretary to the Retirement System.

4.012 Board of Trustees; administrative services.

Sec. 12.

- (a) The Bay County Treasurer shall serve as treasurer and a Trustee of the Retirement System. The Treasurer shall be custodian of the assets of the Retirement System,

except those assets that the Board may place with a chosen custodian, which may be a nationally chartered bank, the Federal Reserve System, a clearing corporation, a custodian bank which is a member of the Federal Reserve System or other "financial institution" as defined at Section 20(c) of P.A. 1965, No. 314 being the Public Employee Retirement System Investment Act, as amended from time to time.

- (b) The County Corporation Counsel shall serve as legal advisor to the Board.
- (c) The Medical Director shall serve as medical advisor to the Board. The Board shall appoint as Medical Director a physician who is not eligible to participate in the Retirement System as a member, retired member, or beneficiary.
- (d) The Actuary shall provide actuarial services to the Board. The Board shall designate a certified actuary who is a member of the American Academy of Actuaries. A partnership or corporation may be designated as Actuary if the duties of the Actuary are performed by or under the direct supervision of a person who meets the requirements described in this section.
- (e) The Board is authorized and empowered to employ other professional services that may be required for the proper discharge of its responsibilities. Compensation for services shall be fixed by the Board. The Board may utilize the services of County employees if made available.
(Res. No. 2002-12, adopt. 2-5-02)

I, Cynthia Luczak, Clerk of the Board of Commissioners of the County of Bay, certify that the attached is a correct copy of Ordinance No. 35, Bay County Employees' Retirement System Ordinance.

I have set my hand and affixed the seal of the County of Bay, State of Michigan, this ____ day of _____, 2010.

CYNTHIA LUCZAK, Clerk

STATE OF MICHIGAN)
)-ss-
COUNTY OF BAY)

I, BRIAN K. ELDER, certify that I am the Chairman of the Board of Commissioners, County of Bay, State of Michigan, and that the above is a correct copy of Section 4.008, Section 4.010 and Section 4.012 of the ordinance as it appears of record in the minutes of the County of Bay of April 13, 2010.

BRIAN K. ELDER, Chairman
Board of Commissioners

4.008 Board of Trustees--Creation; composition; compensation.

Sec. 8.

- (a) The Bay County Retirement System Board of Trustees is hereby created. The Board shall consist of the following nine (9) ~~seven (7)~~ trustees:
- (i) The chairperson of the Bay County Board of Commissioners ex-officio or his/her designee. Any designee appointed by the Chairman of the Bay County Board of Commissioners must also be a member of the Bay County Board of Commissioners;
 - ~~(ii) The chairperson of the Bay County Road Commission ex-officio or his/her designee. Any designee appointed by the Chairman of the Bay County Road Commission must also be a member of the Bay County Road Commission;~~
 - ~~(iii)~~ (ii) The chairperson of the Ways and Means Committee of the Bay County Board of Commissioners ex-officio or his/her designee. Any person appointed by the chairperson of the Ways and Means Committee of the Bay County Board of Commissioners must also be a member of the Bay County Board of Commissioners;
 - ~~(iii)~~ (iii) The Treasurer of Bay County or the Deputy Treasurer, if designated by the Treasurer;
 - (iv) The chairperson of the Bay County Board of Human ~~Seelal~~ Services ex-officio or his/her designee. Any person appointed by the chairperson of the Bay County Board of Human ~~Seelal~~ Services must also be a member of the Bay County Board of Human ~~Seelal~~ Services;
 - ~~(v) The chairperson of the Bay-Arenac Behavioral Health Authority Board of Directors or his/her designee. Any designee appointed may be another director or the authority director or chief financial officer and may not be a county commissioner;~~
 - ~~(vi)~~ (vi) A member of the Retirement System who is employed by the Bay County Road Commission or the Department of Water and Sewer, as long as the Department of Water and Sewer remains under the jurisdiction of the Bay County Road Commission, and is elected as a trustee as provided in Subsection (b) of this section;

- (vii) A member of the Retirement System who is employed by the Bay County Medical Care Facility and is elected as a trustee as provided in Subsection (b) of this section;
 - (viii) A member of the Retirement System who is employed by a county department or agency that is not the Bay County Road Commission, the Department of Water and Sewer, the Bay County Sheriff's Office, the Bay County Library System or the Bay County Medical Care Facility and is elected as a trustee as provided in Subsection (b) of this section;
 - (ix) A member of the Retirement System who is either employed by the Bay County Sheriff's Office and is a member of the Road Patrol Group, the Road Patrol Supervisors Unit Group, the Correctional Facility Officers Group, or who is employed by the Bay County Library System, and is elected as a trustee as provided in Subsection (b) of this section.
- (b) The Board shall establish rules and regulations for trustee elections required by subsections (v), (vi), (vii), (viii) and (ix).
 - (c) The Bay County Board of Commissioners may establish the per diem compensation for trustees. Trustees shall also be reimbursed, as determined by the Board, for actual and necessary expenses incurred, to attend meetings of the Board and to perform services required by the Board.

4.010 Board of Trustees--Meetings; quorum; voting; officers.

Sec. 10.

- (a) The Board shall hold meetings regularly, at least one in each calendar quarter, and shall adopt its own rules of procedure.
- (b) ~~Four~~ Five trustees shall constitute a quorum of the Board.
- (c) Each trustee shall be entitled to one vote on each question before the Board. At least ~~four~~ five concurring votes shall be required for a valid action by the Board.
- (d) At the first Board meeting for each calendar year, the Board shall elect from its membership a chairperson and a vice chairperson. The chairperson and vice chairperson shall take office immediately upon election.
- (e) The Bay County Executive or his/her designee shall serve as the Secretary to the Retirement System.

4.012 Board of Trustees; administrative services.

Sec. 12.

- (a) The Bay County Treasurer shall serve as treasurer and a Trustee of the Retirement System. The Treasurer shall be custodian of the assets of the Retirement System, except those assets that the Board may place with a chosen custodian, which may be a nationally chartered bank, the Federal Reserve System, a clearing corporation, a custodian bank which is a member of the Federal Reserve System or other "financial institution" as defined at Section 20(c) of P.A. 1965, No. 314 being the Public Employee Retirement System Investment Act, as amended from time to time.
- (b) The County Corporation Counsel shall serve as legal advisor to the Board.
- (c) The Medical Director shall serve as medical advisor to the Board. The Board shall appoint as Medical Director a physician who is not eligible to participate in the Retirement System as a member, retired member, or beneficiary.
- (d) The Actuary shall provide actuarial services to the Board. The Board shall designate a certified actuary who is a member of the American Academy of Actuaries. A partnership or corporation may be designated as Actuary if the duties of the Actuary are performed by or under the direct supervision of a person who meets the requirements described in this section.
- (e) The Board is authorized and empowered to employ other professional services that may be required for the proper discharge of its responsibilities. Compensation for services shall be fixed by the Board. The Board may utilize the services of County employees if made available.
(Res. No. 2002-12, adopt. 2-5-02)

BAY COUNTY BOARD OF COMMISSIONERS

4/13/10

RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (4/6/10)
- WHEREAS, New World, in the past, has issued a Standard Software Maintenance Agreement, which covers a one year period and support of their application software at the Sheriff Department and they have submitted a renewal agreement; and
- WHEREAS, The cost of the new agreement has decreased from \$27,542 to \$25,964 (a net decrease of \$1,588) and is the result of the deletion of the LE Records Federal and State Compliance and Records Redundancy application; and
- WHEREAS, Funding for the maintenance agreement has been budgeted by the Sheriff; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners approves renewal of the Standard Software Maintenance Agreement with New World for the Bay County Sheriff Department at a cost of \$25,694 for the period May 1, 2010 to April 30, 2011, funds to come from the Sheriff Department 2010 budget; Be It Further
- RESOLVED That the Chairman of the Board is authorized to execute the SSMA on behalf of Bay County following legal review/approval; Be It Finally
- RESOLVED That budget adjustments, if required, are approved.

DONALD J. TILLEY, CHAIR
AND COMMITTEE

ISD - Sheriff - New World SSMA

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Mallette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Begick				Klm Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

4/13/10

RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (4/6/10)
- WHEREAS, New World, in the past, has issued a Standard Software Maintenance Agreement, which covers a one year period and support of their application software at Central Dispatch/9-1-1 and they have submitted a renewal agreement; and
- WHEREAS, The cost of the new agreement has increased from \$23,140 to \$24,665 (a net increase of \$1,525) and is the result of the addition of the ESCR Embedded application; and
- WHEREAS, Funding for the maintenance agreement has been budgeted in the 2010 Central Dispatch/9-1-1 budget; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners approves renewal of the Standard Software Maintenance Agreement with New World for the Bay County Central Dispatch/9-1-1 at a cost of \$24,665 for the period May 1, 2010 to April30, 2011, funds to come from the Central Dispatch/9-1-1 2010 budget; Be It Further
- RESOLVED That the Chairman of the Board Is authorized to execute the SSMA on behalf of Bay County following legal review/approval; Be It Finally
- RESOLVED That budget adjustments, if required, are approved.

DONALD J. TILLEY, CHAIR
AND COMMITTEE

ISD - 911 - New World SSMA

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Malliette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglick				Klm Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS**4/13/10****RESOLUTION**

- BY: WAYS AND MEANS COMMITTEE (4/6/10)
- WHEREAS, The Bay County Health Department was notified 3/22/10 that it has been selected to receive American Reinvestment and Recovery Act (ARRA) funds, made possible through a grant award provided to the MDCH Health Tobacco Prevention and Control Section; and
- WHEREAS, The ARRA funds are provided under the MDCH project title "Tobacco ARRA-1" and are to be used to implement and enforce the Dr. Ron Davis Smoke-Free Air Law for the period of 3/1/2010 through 9/30/2010; and
- WHEREAS, Bay County's grant allocation is \$16,875 and requires no local match; and
- WHEREAS, Providing the Bay County Health Department meets program and reporting requirements and there are sufficient funds, the BCHD will be offered continued funding for FY 2010-11; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners accepts the grant funding from the Michigan Department of Community Health (MDCH) Tobacco Prevention and Control Section and authorizes the Board Chair to execute all documents required for the grant funding following legal review/approval; Be It Further
- RESOLVED That budget adjustments required for this grant funding are approved.

DONALD J. TILLEY, CHAIR

AND COMMITTEE

Health Dept - ARRA - MDCH Tobacco Funding

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Mallette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

4/13/10

RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (4/6/10)
- WHEREAS, The Michigan Department of Natural Resources and Environment has notified the Bay County Health Department of its intent to award the Health Department \$90,000 in supplemental funding to develop a forecasting method (i.e. predictive model) and identify potential sources of pollution through implementation of a comprehensive sanitary survey of local beaches; and
- WHEREAS, There is no cost to the County as all costs associated with the projects are covered by the grant; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners hereby accepts the grant funding and authorizes the Chairman of the Board to execute any and all documents that may be required for these grant funds following legal review/approval; Be It Further
- RESOLVED That budget adjustments associated with this grant funding, if required, are approved.

DONALD J. TILLEY, CHAIR
AND COMMITTEE

Health Dept - MDNRE Bacteria Sources Tracking Grant

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Mallette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Begick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

4/13/10

RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (4/6/10)
- WHEREAS, It is estimated that nearly 10% of the current population in Bay County suffers from asthma or asthma related conditions; and
- WHEREAS, The Environmental Protection Agency has released a Request for Proposals (RFP) to award grants so that communities can decrease the exposure of indoor environmental triggers, including Environmental Tobacco Smoke (ETS) for people with asthma; to educate parents and caretakers on indoor triggers and actions to reduce them; and to educate individuals on the environmental management of asthma so they can counsel patients, health care providers, and other community members with asthma on actions to reduce triggers in indoor environments; and
- WHEREAS, Grant applicants are eligible for up to \$64,000 in funding for over two years with no local County match requirements; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners authorizes the Bay County Health Department to seek funding from the Environmental Protection Agency for the Asthma Environmental Trigger Grant and authorizes the Chairman of the Board to execute any and all documents required for the grant application and, if successful, the grant award following legal review/approval; Be It Further
- RESOLVED That budget adjustments related to this grant, if required, are approved.

DONALD J. TILLEY, CHAIR

AND COMMITTEE

Health Dept - Asthma Environmental Trigger Grant

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Maillette				Brian K. Elder			
Patrick H. Beson				Ernie Krygier				Eugene F. Gwizdala			
Vaughn J. Begick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

-42-

BAY COUNTY BOARD OF COMMISSIONERS

4/13/10

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (4/6/2010)

WHEREAS, The Environmental Health Division the Bay County Health Department has operated Household Hazardous Waste Collections on a Bi-Annual basis for the past fifteen years and these collections have been typically funded by support from the Dow Chemical Company; and

WHEREAS, Presently there is enough funding from FY 2009 to hold a Spring collection this year and, in conversation with Dow representatives, the company is willing to consider funding additional events for this Fall; and

WHEREAS, There is no financial cost to the Health Department as all costs associated for the collection and disposal will be included in the grant, if funded; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners authorizes the Bay County Health Department to seek funding from the Dow Chemical Company for Household Hazardous Waste Collections; Be It Further

RESOLVED That the Chairman of the Board is authorized to execute any and all grant documents following legal review/approval; Be It Finally

RESOLVED That grant related budget adjustments, if required, are approved..

DONALD J. TILLEY, CHAIR
AND COMMITTEE

Health Dept - HHW Grant

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Maillette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglck				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

-43-

BAY COUNTY BOARD OF COMMISSIONERS

4/13/10

RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (4/6/10)
- WHEREAS, In May 2006 Governor Jennifer Granholm signed the "Michigan Green School Act" which grants "Michigan Green School" designation to any public or private school in Michigan that meets certain criteria; and
- WHEREAS, Michigan Green School applications have been submitted by Bangor West Elementary School, Christa McAuliff Middle School, Lincoln Elementary School and Pinconning High/Middle Schools; and
- WHEREAS, Administration of the Michigan Green Schools Act Initiative is being provided through Bay Arenac Intermediate School District under the coordination of Commissioner Donald J. Tilley; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners goes on record recognizing Bangor West Elementary School, Christa McAuliff Middle School, Lincoln Elementary School and Pinconning High/Middle Schools for their participation and efforts toward achieving Michigan Green School designation.

DONALD J. TILLEY, CHAIR
AND COMMITTEE

Michigan Green School Designation

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Mallette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

By: WAYS AND MEANS COMMITTEE 4/6/2010

RESOLVED: By this Board of Commissioners of Bay County, Michigan, that the following Budget Adjustments are hereby approved on 04/13/2010 and, if required, the Chairman of the Board is hereby authorized to execute any documentation necessary for said Budget Adjustments on Behalf of Bay County.

<u>Request Number</u>	<u>Fund Involved Department Involved</u>	<u>Favorable Impact</u>	<u>Unfavorable Impact</u>	<u>No Impact</u>
2010-04-001	Drug Law Enforcement Fund Sheriff Department Activity		\$13,543	
	To budget for the purchase of guns for Drug Law Enforcement. The funding source is Drug Law Enforcement Fund 2650. As of 12/31/09 the Sheriff Department has \$31,451.92 in Fund Balance under the 2650 Fund.			
2010-04-003	General Fund Bldg & Grounds Activity		\$6,000	
	To roll over unused dollars from 2009 BA #2009-0741075 which budgeted under the 10126500 Bldg. & Grounds activity cleaning the exterior of the county building.			
2010-04-004	General Fund Animal Control Activity			X
	To budget for Animal Control expenditures related to the public education room. The wall had to be repaired with a new splash wall so the water from cleaning the animal cages would not leak into the education room. The funding source for these expenditures are from the Breached Adoption Fees that are reserved each year.			

-45-

2010-04-005	General Fund Civic Arena Activity	\$63,456
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To rollover into 2010 Budget the remaining expenditure dollars Bangor DDA committed to by September 2, 2008 Intergovernmental Agreement for Civic Arena. The revenue is already in 2010 Budget under line item 10176200-67602 but the Expense wasn't budgeted in 2010.

2010-04-006	General Fund Payroll Department Activity	\$7,425
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To correct 10120200 payroll revenue line item number 63700 Department Services revenue for 2010 should be \$75, not \$7500. In error the department column was keyed in as \$7500, not \$75, and this carried over to the final adopted budget numbers.

2010-04-007	Housing Fund Housing Activity	X
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To Increase Housing Fund (5350) 2010 budget for HUD approved Increase for conference expenses, repair and to replace 18 tubs for the Housing Fund.

2010-04-008 Delinquent Tax Fund
Delinquent Tax Activity

X

To adjust the 2010 Indirect Cost expenditures for 5180 Fund which should be charged against 51825407 & 51825408 for 2007 & 2008 Delinquent Tax Property Sales.

2010-03-312 General Fund
Drain Commissioner Activity

X

To allow for hiring of a temporary employee through the Drain Office. This position will be fully reimbursed from the Bay Area Storm Water Authority and a Grant from MNDRE. Position will be active from April 1, 2010 through August 30, 2010.

Donald J. Tilley, Chairman W. & M.
and Committee

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Mallette				Brian K. Elder			
Patrick H. Beson				Ernie Krygier				Eugene F. Gwizdala			
Vaughn J. Beglick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

4/13/10

RESOLUTION

BY: WAYS AND MEANS COMMITTEE (4/6/10)

WHEREAS, Currently there are significant "bottlenecks" and redundancies built into the accounting system, some of which have been exacerbated by Munis implementation issues; and

WHEREAS, Working with the auditors, the County wishes to reduce the level of detail in many accounting processes to the extent necessary for sound asset control, audit compliance, budgetary control, and real-time business decision-making; and

WHEREAS, The effect of this should reduce or eliminate many of the factors which cause chronic overtime, improve throughput to the department's customers, and increase the accuracy of first-time journal entries; and

WHEREAS, Permanent changes in depth of classification would take effect in 2011 fiscal year with the other systematic changes occurring as soon as appropriate approval is obtained; and

WHEREAS, Resilient-C will continue to make periodic progress reports to the Board of Commissioners; Therefore, Be It

RESOLVED That the Bay County Board of Commissioners allows the \$1,050 balance from funds appropriated for work in the County Clerk's office to be used for Resilient-C analysis in the Health Department and Homeland Security purchasing process.

DONALD J. TILLEY, CHAIR
AND COMMITTEE

Adm Serv - Resilient-C - Financial Processes

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Mallette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Begick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

-4/8-

BAY COUNTY BOARD OF COMMISSIONERS**4/13/10****RESOLUTION**

- BY: WAYS AND MEANS COMMITTEE (4/6/10)
- WHEREAS, The Patient Protection and Affordable Care Act was signed into law on March 23, 2010 and Bay County has been notified that it could qualify for a temporary federal retiree reinsurance subsidy of claims by its retirees between ages 55 and 64; and
- WHEREAS, Applications are to be taken soon with a very short application period and the available \$5 billion will be distributed on a "first come/first served" basis; and
- WHEREAS, Bay County currently has a contract with Part D Advisors, Inc. to administer Bay County's Medicare Part D Prescription Drug Program and, in order for them to help the County prepare its application timely, the County must authorize a "Medicare Early Retiree Subsidy Services Addendum" to the current "Agreement for Medicare Part D Implementation Services;" and
- WHEREAS, For their analysis and administration of this program, Bay County will pay Part D Advisors, Inc. 35% of any funds recovered for Bay County; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners approves the Medicare Early Retiree Subsidy Services Addendum to the current Agreement for Medicare Part D Implementation Services and authorizes the Chairman of the Board to sign said Addendum and related documents on behalf of Bay County following legal review/approval; Be It Finally
- RESOLVED That budget adjustments, if required, are approved.

DONALD J. TILLEY, CHAIR

AND COMMITTEE

Corp Counsel - Addendum to Part D Advisors Agt

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Maillette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS

4/13/10

RESOLUTION

- BY: WAYS AND MEANS COMMITTEE (4/6/10)
- WHEREAS, In December 2008 Kelly Rifenbark was appointed to the position of interim Equalization Director, however, according to the Michigan Department of Treasury Ms. Rifenbark could only act in that capacity from the date of the opening (5/25/09); and
- WHEREAS, While an extension was requested, this request was not granted so Bay County must contract with someone with a level 4 certification in order to provide the required services, including signatory authority to certain documents in the Equalization Department from May 27, 2010 through February 18, 2011; and
- WHEREAS, Funds exist within the Equalization Department budget to cover the 2010 contractual cost, however, the exact cost cannot be determined until bids are received; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners approves Equalization contractual services for the period May 27, 2010 through February 18, 2011, monies to come from the Equalization Department budget; Be It Further
- RESOLVED That the Chairman of the Board is authorized to execute required contractual documents between Bay County and the qualified bidder on behalf of Bay County following legal review/approval; Be It Further
- RESOLVED That budget adjustments, if required, are approved.

DONALD J. TILLEY, CHAIR
AND COMMITTEE

Personnel - Contractual Equalization Services

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Maillette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

-50-

BAY COUNTY BOARD OF COMMISSIONERS**4/13/10****RESOLUTION**

- BY: PERSONNEL/JUDICIAL COMMITTEE (3/16/10)
- WHEREAS, Bay County has implemented a pre-trial program to assist in alleviating jail crowding of lower risk offenders who may be supervised while out on bond and part of this program may include supervision by an electronic monitoring unit; and
- WHEREAS, Bay County has held a contract with the State of Michigan Department of Corrections for use of electronic monitoring equipment since 2003 and has also contracted with an individual to supervise defendants while out of jail on bond; and
- WHEREAS, The Bay County Community Corrections grant funds the position of a part time person to be contracted as the Pre-Trial Specialist. The grant only funds up to \$5,000 for program services such as Electronic Monitoring Services; and
- WHEREAS, Community Corrections proposes to charge offenders \$10 per day while participating in electronic monitoring services in lieu of jail (indigent offenders are not charged). The cost for the County to utilize the equipment from the State is \$6.50 per day and the remaining \$3.50 is being utilized to offset the cost of the part time employee. This does not include the staff time involved with home visits to hook-up equipment; and
- WHEREAS, The Community Corrections Advisory Board has met and has approved the re-application of funding for continuation of Bay County's Comprehensive Community Corrections Plan; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners approves the application for funding for continuation of Bay County's Comprehensive Community Corrections Plan and authorizes the Chairman of the Board to execute any and all application and acceptance agreements as well as contractual agreements on behalf of Bay County following legal review/approval; Be It Further
- RESOLVED That budget adjustments relating to this grant, if required, are approved.

ERNIE KRYGIER, CHAIR
AND COMMITTEE

Comm Corr - MDOC Electronic Monitoring Services Contract

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Maillette				Brian K. Elder			
Patrick H. Beson				Ernie Krygier				Eugene F. Gwizdala			
Vaughn J. Beglick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____
VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

- 51 -

BAY COUNTY BOARD OF COMMISSIONERS**4/13/10****RESOLUTION**

BY: PERSONNEL/JUDICIAL COMMITTEE (3/16/10)

RESOLVED By the Bay County Board of Commissioners that concurrence is given to post/advertise/fill the following full time/part time/temporary/seasonal or co-op positions/vacancies, monies for said positions to come from the respective departmental budgets:

- A. Health Department - Registered Nurse (ft)
- B. Sheriff Department - Correctional Facility Officer (ft)
- C. Division on Aging - On-call Cook
- D. Drain Office - Staff Accountant (ft)
- E. Drain Office - Bay Area Storm Water Authority - Intern (temporary)

RESOLVED That budget adjustments, if required, are approved.

RESOLVED That it is clearly understood that any positions funded through a grant shall be terminated if grant funding is terminated.

ERNIE KRYGIER, CHAIR
AND COMMITTEE

Vacancies - April 2010

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Maillette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

BAY COUNTY BOARD OF COMMISSIONERS**4/13/10****RESOLUTION**

- BY: HUMAN SERVICES COMMITTEE (3/16/10)
- WHEREAS, Housing Rehabilitation has, in the past, applied for and received the CDBG through the Michigan State Housing Development Authority (MSHDA), a grant funding a Housing Rehabilitation Program providing deferred loans to low income residents in accordance with the MSHDA policies and procedures; and
- WHEREAS, Bay Area Housing, Inc. is the current Third Party Administrator for the Housing Rehabilitation program and they administer new project activities which include screening applicants, writing job specifications, conducting inspections and monitoring work progress; and
- WHEREAS, In the past, Housing Rehabilitation has completed and submitted the grant application to MSHDA; and
- WHEREAS, Bay County, through the Recreation and Administrative Services Department, will continue to be responsible for the general oversight of the grant activities and Bay County will continue to utilize a Third Party Administrator for the day to day administration of the grant; and
- WHEREAS, The Community Development Block Grant allocations for the term beginning December 31, 2010 and ending December 31, 2012 will be based on population. Bay County, with a population over 100,000, can potentially be awarded \$300,000 over the length of the grant; and
- WHEREAS, Bay Area Housing, Inc., as the current Third Party Administrator, earns 14% administrative fees or \$42,000 over the length of the grant. and the Director of Environmental Affairs & Community Development has agreed to handle the grant application in-house; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners authorizes application to MSHDA for \$300,000 for housing rehabilitation and approves renewal of the contract with Bay Area Housing, Inc. from January 1, 2011 to December 31, 2012, authorizing the Board Chair to sign any and all necessary documents following legal review/approval; Be It Finally
- RESOLVED That related budget adjustments, if required are approved.

MICHAEL J. DURANCZYK, CHAIR

AND COMMITTEE

Admin Serv - MSHDA Grant/BAH Contract

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Mallette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

- 53 -

BAY COUNTY BOARD OF COMMISSIONERS

4/13/10

RESOLUTION

- BY: HUMAN SERVICES COMMITTEE (3/16/10)
- WHEREAS, The Bay County Division on Aging has been approached by representatives of the Summer Youth Camp to be a partner in this program for the summer of 2010, and
- WHEREAS, The program will be called "Week of Hope" and the nature of the youth work is changing from major home improvements to yard and home clean-up projects, and
- WHEREAS, The local coordinators provide adult supervision on-site when the youth are working at a senior citizen's home, and
- WHEREAS, The Division on Aging wishes to identify some senior citizens with limited financial resources whose yard and property need a significant clean-up; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners hereby approves Bay County Division on Aging to act as a partner organization for back-up projects to be completed under the "Week of Hope" Program; Be It Further
- RESOLVED That the Board Chairman is authorized to sign a Partner Organization Agreement, following legal review/approval; Be It Finally
- RESOLVED That budget adjustments related to this action, if required, are approved.

MICHAEL J. DURANCZYK, CHAIR
AND COMMITTEE

DOA - Week of Hope

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Maillette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglck				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

-54-

BAY COUNTY BOARD OF COMMISSIONERS**4/13/10****RESOLUTION**

BY: BAY COUNTY BOARD OF COMMISSIONERS

RESOLVED That the Bay County Board of Commissioners hereby approves the claims against the County as follows:

Accounts Payable:

3/5/10	\$663.03
3/10/10	\$1,295,535.49
3/17/10	\$603,583.75
3/25/10	\$413,299.24
3/31/10	\$2,285,013.51
4/7/10	\$411,317.98

Center Ridge Arms-Payables:

4/7/10	\$69,186.31
--------	-------------

BRIAN K. ELDER, CHAIR
BAY COUNTY BOARD OF COMMISSIONERS

Payables - April Bd Mtg

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Mallette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Begick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

- 55 -

**BAY COUNTY BOARD OF COMMISSIONERS
4/13/10**

RESOLUTION

BY: BAY COUNTY BOARD OF COMMISSIONERS (4/13/10)

RESOLVED By the Bay County Board of Commissioners that the reports of the County Executive, listed below, are received:

Employment Status Report: March 2010

Workers' Compensation Report: February 2010

BRIAN K. ELDER, CHAIR
AND BOARD

County Executive - Status Reports

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Maillette				Brian K. Elder			
Patrick H. Beson				Ernie Krygier				Eugene F. Gwizdala			
Vaughn J. Beglck				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

CHANGES IN EMPLOYMENT STATUS
March, 2010

EMPLOYEE NAME	DEPARTMENT/FUNDING	DATE
<u>NEW HIRE (Regular):</u>		
Denise Williams 911 Dispatcher	Central Dispatch 911 Funds	03/08/2010
<u>NEW HIRE (Temporary or on-call status):</u>		
<u>Golf Course:</u>		
Richard Cybulski	Equipment Operator - Tm Ldr	03/29/2010
Richard Rapin	Equipment Operator - Tm Ldr	03/29/2010
Stephen Kaznowski	Equipment Operator	03/29/2010
Leonardo Carrasco	Equipment Operator	03/29/2010
Scott Garzell	Club House Leader	03/30/2010
Blaise Zimmer	Club House Attendant	03/31/2010
Robert Goodwin	Starter/Ranger	03/29/2010
Charles Glocksine	Starter/Ranger	03/31/2010
Thomas Cauchy	Service Assistant - Tm Ldr	03/31/2010
Robert Franek	General Laborer - Tm Ldr	03/29/2010
<u>TRANSFERS:</u>		
Crystal Hebert		03/10/2010
TO: Asst. Finance Officer	Finance Department	
FROM: Staff/Grant Accountant	Drain Office	
Robert Rosecrans		03/25/2010
TO: F.T. Youth Dev. Worker	Juvenile Home	
FROM: P.T. Youth Dev. Worker	Juvenile Home	
Jennifer Gwizdala		03/15/2010
TO: Staff/Grant Accountant	Finance Department	
FROM: Account Analyst	Friend of the Court	
Kaycee Alvesteffer		3/15/2010
TO: Account Analyst	Friend of the Court	
FROM: Receptionist	Friend of the Court	

Justin Sinicki

TO: Service Assistant
FROM: Concessions Clerk

Golf Course
Civic Arena

03/29/2010

Personnel Department
April 5, 2010

WORKERS' COMPENSATION REPORT
February, 2010

EMPLOYEE NAME	DEPARTMENT	DATE OF INJURY	REASON FOR PAYMENT
Margaret Brown	Health Department	05/19/2006	Medical & Legal only
Robert Lee	Sheriff Department	01/28/2010	Medical & Indemnity
Caryn Loeffler-Truax	Housing Department	01/08/2009	Medical & Legal
Corey Sitkowski	Building and Grounds	11/06/2009	Medical & Indemnity
Jill Torres	Building and Grounds	04/03/2003	Medical & Indemnity

Note: Employees appear on this report if there has been a payment during the month from the self-insurance fund for a work related injury. A name appearing on this report does not necessarily mean the employee is off work. Oftentimes, medical bills are received a month or two after the date of injury.

Submitted by: Danean Wright/Bay County Finance Department
Dated: April 5, 2010

BAY COUNTY BOARD OF COMMISSIONERS

4/13/10

RESOLUTION

- BY: BAY COUNTY BOARD OF COMMISSIONERS
- WHEREAS, The Diamond Gems Program accepts nominations to honor volunteers age 75 or older who volunteer their services in Bay County and the Diamond Gems Award is presented to those individuals who provide exemplary volunteer work in our county, and
- WHEREAS, The Bay County Board of Commissioners has received notification that Molly Lopez, a volunteer since 2003, is one of the Diamond Gems winners of 2010; and
- WHEREAS, Molly Lopez' selfless and generous contribution of time and talent has benefitted the "Remarkable Reader" program through the Bay City Schools, the Community Garden and other RSVP programs, the Good Samaritan Rescue Mission, the Day of Caring and other United Way programs, and the flu clinic through the Division on Aging and the Bay County Health Department, and
- WHEREAS, Molly Lopez commitment to helping others is demonstrated by her dedication, patience, friendly smile and enthusiasm and her generosity of spirit has reached many children and adults in our county through her various volunteer activities; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners recognizes the outstanding volunteer contributions made by Molly Lopez in Bay County and congratulates her as she receives the Diamond Gems Award for 2010.

BRIAN K. ELDER, CHAIR
AND BOARD

Diamond Gem - Molly Lopez

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Mallette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Beglick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

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BAY COUNTY BOARD OF COMMISSIONERS**4/13/10****RESOLUTION**

- BY: BAY COUNTY BOARD OF COMMISSIONERS
- WHEREAS, The Diamond Gems Program accepts nominations to honor volunteers age 75 or older who volunteer their services in Bay County and the Diamond Gems Award is presented to those individuals who provide exemplary volunteer work in our county; and
- WHEREAS, The Bay County Board of Commissioners has received notification that Jim Lamkin, a volunteer since June 2002, is a Diamond Gems winner for 2010; and
- WHEREAS, Jim Lamkin has volunteered many hours of service through the Tuesday Toolmen program at United Way of Bay County, helped with various United Way events, participated in the Day of Caring, and helped the RSVP Creative Quilters with machine repairs; and
- WHEREAS, Jim Lamkin serves on the Retired and Senior Volunteer Program (RSVP) Advisory Board and the Bay County Senior Olympic Committee and lends his voice and action to these programs; and
- WHEREAS, In addition to his many hours of service, Jim Lamkin will usually seek out sources for donated materials to assist the individuals who need minor repairs and lack resources to pay for materials; and
- WHEREAS, Jim Lamkin's commitment to helping others is demonstrated by his positive attitude, his outgoing personality, his generous commitment of time and talent, and his dedication to serve others; Therefore, Be It
- RESOLVED That the Bay County Board of Commissioners recognizes the outstanding volunteer contributions that Jim Lamkin has made in Bay County and congratulates him as he receives the Diamond Gems Award for 2010.

BRIAN K. ELDER, CHAIR
AND BOARD

Diamond Gems - Jim Lamkin

MOVED BY COMM. _____

SUPPORTED BY COMM. _____

COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E	COMMISSIONER	Y	N	E
Michael J. Duranczyk				Colleen M. Maillette				Brian K. Elder			
Patrick H. Beson				Ernie Krygler				Eugene F. Gwizdala			
Vaughn J. Begick				Kim Coonan				Donald J. Tilley			

VOTE TOTALS:

ROLL CALL: YEAS _____ NAYS _____ EXCUSED _____

VOICE: YEAS _____ NAYS _____ EXCUSED _____

DISPOSITION: ADOPTED _____ DEFEATED _____ WITHDRAWN _____
AMENDED _____ CORRECTED _____ REFERRED _____

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**OFFICE OF
BAY COUNTY EXECUTIVE**

515 Center Avenue, Suite 401
Bay City, Michigan 48708-5125
(989) 895-4130 • FAX (989) 895-7658

Thomas L. Hickner
County Executive

February 10, 2010

Brian K. Elder, Chairman
Bay County Board of Commissioners
515 Center Avenue
Bay City, MI 48708

Dear Chairman Elder:

The Bay Arenac Department of Human Services has submitted the nomination of Ms. Kim Bejcek, Acting Director, to fill the public assistance vacancy on the Workforce Development Board created by the departure of Director Bernell Wiggins. Mr. Wiggins has recently relocated to another county. Ms. Bejcek would serve the remainder of the term which is June 30, 2010.

If you have any questions, please do not hesitate to contact me.

Sincerely,

TOM HICKNER
Bay County Executive

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WORKFORCE DEVELOPMENT BOARD NOMINATIONS

Please complete the information on this form for each person you are nominating.

NAME: Ms. Kim Bejcek

ORGANIZATION OR BUSINESS: Bay/Arenac Department of Human Services

TITLE: Acting Director

ADDRESS: 1399 W. Center Road, Essexville, MI 48732

PHONE: (989) 895-2550

FAX: (989) 895-2492

WDB SECTOR TO REPRESENT: Public Assistance Agencies

AREA SERVED BY BUSINESS: SAGINAW, MIDLAND, BAY, ARENAC COUNTIES

NOTE: Is the person available to attend WDB meetings currently scheduled at 3:30 p.m. the first Tuesday of each month? YES ☐ NO ☐ Members are required to attend 67% of the meetings and not to miss more than three (3) consecutive meetings.

NOMINATING AGENCY: Bay/Arenac Department of Human Services

ADDRESS: 1399 W. Center Road, Essexville, MI 48732

PHONE: 895-2169

CONTACT PERSON:

Please Mail to:

NOTE:

Staff or Board members from agencies that are service providers to the Michigan Worksl Area (MWA) or that will be responding to requests for proposals released by the MWA are not to be appointed to the Workforce Development Board. (An exception is made for employers involved in on-the-job training and Incumbent worker training.)

Comments:

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BAY COUNTY BOARD OF COMMISSIONERS

MARCH 9, 2010

THE BAY COUNTY BOARD OF COMMISSIONERS MET FOR A REGULAR SESSION ON TUESDAY, MARCH 9, 2010, IN THE FOURTH FLOOR COMMISSION CHAMBERS OF THE BAY COUNTY BUILDING. THE MEETING WAS CALLED TO ORDER BY CHAIRMAN BRIAN K. ELDER AT 4:02 P.M. WITH THE FOLLOWING MEMBERS AND GUESTS PRESENT.

ROLL CALL: COMMISSIONERS MICHAEL J. DURANCZYK, PATRICK H. BESON, VAUGHN J. BEGICK, COLLEEN MAILLETTE, ERNIE KRYGIER, KIM COONAN, EUGENE F. GWIZDALA, DONALD J. TILLEY AND CHAIRMAN BRIAN K. ELDER.

OTHER MEMBERS: CYNTHIA A. LUCZAK, BAY COUNTY CLERK
SHEILA E. SHAW, SECRETARY TO THE COUNTY CLERK
ROBERT J. REDMOND, FINANCIAL ANALYST
DEANNE C. BERGER, BOARD COORDINATOR

ALSO SERVICES PRESENT: MICHAEL K. GRAY, DIRECTOR, DEPT. OF ADMINISTRATIVE
TIM QUINN, PERSONNEL & EMPLOYEE RELATIONS DIRECTOR
MARTHA P. FITZHUGH, CORPORATION COUNSEL
HOWARD HURT, BAY COUNTY MEDICAL EXAMINER
BARBARA MACGREGOR, BAY COUNTY HEALTH DEPT. DIRECTOR
TED DAVENPORT, BAY AREA RUNNERS CLUB PRESIDENT
ANN GASTA, BAY AREA RUNNERS CLUB VICE PRESIDENT
TOM PUTT, BAY COUNTY MOSQUITO CONTROL MANAGER
MARY MCCARRY, BAY COUNTY MOSQUITO CONTROL BIOLOGIST
RICK HANOVER, BAY COUNTY SHERIFF DEPUTY
KEVIN NICHOL, BAY COUNTY SHERIFF DEPUTY
STANLEY GORZINSKI, BAY-ARENAC BEHAVIORAL HEALTH APPLICANT
ROBERT HUSKINS, BAY-ARENAC BEHAVIORAL HEALTH APPLICANT
VARIOUS ELECTED OFFICIALS
VARIOUS DEPARTMENT HEADS
NEWS MEDIA

INVOCATION: THE INVOCATION WAS GIVEN BY THE BAY COUNTY CLERK, CYNTHIA A. LUCZAK.

PLEDGE OF ALLEGIANCE:

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BOARD OF COMM.MARCH 9, 2010

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MINUTES

MOTION 18: COMM. KRYGIER MOVED TO APPROVE THE REGULAR BOARD SESSION MINUTES OF FEBRUARY 9, 2010 AND THE SPECIAL BOARD SESSION MINUTES OF FEBRUARY 16, 2010. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 9 YEAS, 0 NAYS.

CHAIRMAN ELDER OFFERED TO ACCEPT COMMENTS OF CITIZENS WISHING TO ADDRESS THE BOARD WITH THEIR CONCERNS.

TIME. NO ONE CAME FORWARD TO ADDRESS THE BOARD AT THIS

PETITIONS AND COMMUNICATIONS

CYNTHIA A. LUCZAK, BAY COUNTY CLERK, READ RES. 2010-32.

RES. 2010-32: COMM. GWIZDALA MOVED TO ADOPT RES. 2010-32 EXPRESSING BAY COUNTY'S HEARTFELT APPRECIATION TO HOWARD F. HURT, BAY COUNTY MEDICAL DIRECTOR, FOR HIS 17 YEAR CAREER WITH THE BAY COUNTY HEALTH DEPARTMENT. HIS DEDICATION TO THE SUCCESS AND GROWTH OF THE BAY COUNTY HEALTH DEPARTMENT HAS ENHANCED THE LIVES OF BAY COUNTY RESIDENTS. WE OFFER OUR BEST WISHES FOR A LONG, HEALTHY AND FULFILLING RETIREMENT. IT WAS SUPPORTED BY COMM. COONAN AND CARRIED BY A VOICE VOTE OF: 9 YEAS, 0 NAYS.

CHAIRMAN ELDER, MICHAEL K. GRAY AND BARBARA MACGREGOR, RECOGNIZED DR. HURT FOR HIS 17 YEAR CAREER AS BAY COUNTY'S MEDICAL DIRECTOR AND OUTSTANDING SERVICE. THEY PRESENTED HIM WITH A PLAQUE. DR. HURT ACCEPTED THE AWARD AND SAID IT WAS A PLEASURE TO WORK FOR BAY COUNTY AND THANKED THE COMMISSIONERS FOR ALLOWING HIM TO SERVE. DR. HURT WILL CONTINUE TO SERVE AS MEDICAL EXAMINER FOR BAY COUNTY.

CYNTHIA A. LUCZAK READ RES. 2010-33.

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BOARD OF COMM.MARCH 9, 2010

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RES. 2010-33: COMM. COONAN MOVED TO ADOPT RES. 2010-33 ACKNOWLEDGING THE EFFORTS OF THE BAY COUNTY RUNNER'S CLUB IN PROMOTING HEALTHY ACTIVITIES AND WELLNESS IN OUR COMMUNITY, AND FOR THEIR GENEROUS SUPPORT OF LOCAL CHARITIES AND POSITIVE IMPACT THEIR EVENTS HAVE ON THE LOCAL BUSINESS COMMUNITY. IT WAS SUPPORTED BY COMM. GWIZDALA AND ADOPTED BY A VOICE VOTE OF: 9 YEAS, 0 NAYS.

COMMISSIONERS COONAN AND KRYGIER PRESENTED THE BAY AREA RUNNER'S CLUB WITH A PLAQUE FOR THEIR COMMITMENT TO PROMOTING WELLNESS IN OUR COMMUNITY SINCE 1977. TED DAVENPORT, PRESIDENT OF THE RUNNER'S CLUB SAID HE WAS HONORED TO RECEIVE THE AWARD ON BEHALF OF THE RUNNER'S CLUB. HE SAID GIVING BACK TO THE COMMUNITY IS REALLY WHAT IT IS ALL ABOUT. ANN GASTA, VICE PRESIDENT OF THE RUNNER'S CLUB, MENTIONED THE ST. PATRICK'S DAY RACE ON SUNDAY, MARCH 21, 2010, WHICH HAS 2,200 RUNNERS SIGNED SO FAR AND ARE HOPING FOR 6,000 THIS YEAR. ALSO, THE LITTLE LEPRECHAUN RACE IS ON SATURDAY, MARCH 20, 2010 AT THE COMMUNITY CENTER WHICH HAS 404 CHILDREN SIGNED UP PRESENTLY. TED DAVENPORT SAID YOU CAN GET RACE SCHEDULES BY CHECKING THEIR WEB SITE AT BARC-MI.COM.

MOTION 19: COMM. GWIZDALA MOVED TO GO INTO PUBLIC HEARING ON THE AMENDMENT TO BAY COUNTY EMPLOYEES' RETIREMENT SYSTEM ORDINANCE REGARDING THE INCREASE TO BOARD MEMBERSHIP. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 9 YEAS, 0 NAYS.

RICK HANOVER, WITH THE DEPUTIES UNION AND KEVIN NICHOL, WITH THE COMMAND UNION OF THE SHERIFF'S DEPARTMENT, ASKED TO BE CONSIDERED FOR ADDITIONAL SEATS PROPOSED ON THE BAY COUNTY EMPLOYEE'S RETIREMENT BOARD. MR. HANOVER SAID THE SHERIFF'S DEPARTMENT REPRESENTS UP TO 18-20% OF TOTAL EMPLOYEES AND DESERVE A POSITION ON THIS BOARD.

CHAIRMAN ELDER SAID THERE IS A PROPOSAL TO BE CONSIDERED ON A RECONSTITUTED RETIREMENT BOARD. HOWEVER, NO ACTION WILL BE TAKEN TODAY.

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BOARD OF COMM.MARCH 9, 2010

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MOTION 20: COMM. GWIZDALA MOVED TO GO BACK TO REGULAR SESSION FOLLOWING PUBLIC HEARING ON THE AMENDMENT TO BAY COUNTY EMPLOYEES' RETIREMENT SYSTEM ORDINANCE REGARDING THE INCREASE TO BOARD MEMBERSHIP. IT WAS SUPPORTED BY COMM. KRYGIER AND CARRIED BY A VOICE VOTE OF: 9 YEAS, 0 NAYS.

TOM PUTT, MANAGER OF BAY COUNTY MOSQUITO CONTROL AND MARY MCCARRY, BIOLOGIST GAVE HIGHLIGHTS OF THE 2009 SEASON: SPRING TREATMENT RESULTED IN 95% MORTALITY; 10,000 MOSQUITOES WERE CAUGHT IN TRAPS AND IDENTIFIED; TWO (2) POSITIVE MOSQUITOES WERE FOUND IN THE SOUTH END OF BAY CITY; A NEW "GREEN" PRODUCT CALLED NATULAR XRT WAS EVALUATED; AND 2,092 SERVICE CALLS WERE RECEIVED.

COMM. KRYGIER NOTICED IN THE 2009 SPRING TREATMENT PORTION, IT MENTIONS PINCONNING PARK AND THE COUNTY LINE AS A "CONTROL" AREA. HE WAS CONCERNED ABOUT PINCONNING PARK RECEIVING TREATMENT. MS. MCCARRY ASSURED HIM THE PARK IS RECEIVING TREATMENT. COMM. KRYGIER STATED HIS DISTRICT OF BANGOR TOWNSHIP IS PLANNING ON DISTRIBUTING RAIN BARRELS AND ASKED IF THERE WERE MEASURES THEY COULD TAKE TO ENSURE THAT MOSQUITOES WILL NOT BREED IN THEM. MS. MCCARRY SAID BESIDES SCREENING THE BARRELS, THEY CAN BE TREATED WITH BTI. SHE SAID RESIDENTS CAN CALL MOSQUITO CONTROL TO HAVE THEM CHECKED AND TREATED.

COMM. DURANCZYK COMPLIMENTED THE MOSQUITO CONTROL STAFF ON THE TREATMENT RECEIVED PRIOR TO ALL PINCONNING FESTIVALS.

MOTION 21: COMM. GWIZDALA MOVED TO RECEIVE THE MOSQUITO CONTROL 2009 ANNUAL REPORT AS PRESENTED BY TOM PUTT, MANAGER AND MARY MCCARRY, BIOLOGIST. IT WAS SUPPORTED BY COMM. KRYGIER AND ADOPTED BY A VOICE VOTE OF: 9 YEAS, 0 NAYS.

RICK BRZEZINSKI, BAY COUNTY TREASURER, WANTED TO MAKE VIEWERS AWARE THAT PART OF THE DELINQUENT TAX

BOARD OF COMM. MARCH 9, 2010

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PROCESS IS THAT THE 2007 TAXES NEED TO BE PAID BY 5:00 P.M. MARCH 31, 2010 OR OWNERS LOOSE ALL RIGHTS TO THE PROPERTY. A YEAR AGO, THERE WERE 123 PARCELS IN THAT SITUATION AND ABOUT 30 WERE FORECLOSED, WHICH IS ABOUT AVERAGE. PRESENTLY, THERE ARE 210 PARCELS IN THIS SITUATION, WHICH IS SIGNIFICANTLY HIGHER. ALSO, HE WANTED TO MAKE PEOPLE AWARE THERE IS A "HARDSHIP" POLICY IN PLACE WHICH GIVES PEOPLE A ONE (1) YEAR EXTENSION. A "HARDSHIP" APPLICATION PROCESS IS AVAILABLE ON THE BAY COUNTY WEB SITE OR FROM THE TREASURER'S OFFICE. FURTHER, HE SAID THERE IS A STATE PROGRAM THROUGH THE DEPARTMENT OF HUMAN SERVICES, THAT SOME TAX PAYERS CAN RECEIVE UP TO \$2,000.00 LIFETIME BENEFIT IF YOU ARE FACING FORECLOSURE, WHICH IS ANOTHER OPTION TO GIVE PEOPLE RELIEF.

MOTION 22: COMM. GWIZDALA MOVED TO RECEIVE THE FOLLOWING APPLICATIONS FOR APPOINTMENT/REAPPOINTMENT TO BAY-ARENAC BEHAVIORAL HEALTH AUTHORITY FOR FOUR 3-YEAR TERMS EACH TO EXPIRE MARCH 31, 2013:

CATEGORY A

1. ART POMINVILLE (INCUMBENT)
2. HANNU TIITOLA
3. ROBERT PAWLAK (INCUMBENT)

CATEGORY B

1. RICHARD BYRNE (INCUMBENT)
2. STANLEY GORZINSKI
3. EUGENE GWIZDALA (INCUMBENT)
4. ROBERT HUSKINS

IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 9 YEAS, 0 NAYS.

COMM. BESON SAID THERE WERE TWO (2) BAY-ARENAC BEHAVIORAL HEALTH AUTHORITY APPLICANTS WHO WISHED TO ADDRESS THE BOARD OF COMMISSIONERS BUT MISSED THEIR OPPORTUNITY DURING CITIZENS INPUT. THEIR COMMENTS WERE AS FOLLOWS.

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BOARD OF COMM.MARCH 9, 2010

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S. GORZINSKI: STANLEY GORZINSKI, BAY-ARENAC BEHAVIORAL HEALTH AUTHORITY APPLICANT, SAID HE IS RETIRED FROM DOW CORNING AND DOW CHEMICAL WITH 30 YEARS AS A ENVIRONMENTAL TOXICOLOGIST. PRESENTLY, HE HAS 13 YEARS OF EXPERIENCE WORKING WITH DR. FIELD ON PROJECTS AT ST. MARY'S HOSPITAL. ONE OF THE PROJECTS IS A LEAD PROGRAM WITH CHILDREN AND INVESTIGATING HOUSES IN SAGINAW AND BAY CITY. HE WAS RESPONSIBLE THROUGH THE CENTER FOR DISEASE CONTROL (CDC) FOR THE TRI-CITY AREA. HE ASKED THE BOARD FOR THEIR CONSIDERATION.

R. HUSKINS: ROBERT HUSKINS, BAY-ARENAC BEHAVIORAL HEALTH AUTHORITY APPLICANT, SAID HE IS RETIRED WITH TEN (10) YEARS EXPERIENCE ON THE AGENCY SIDE OF MENTAL HEALTH, DEALING WITH CATHOLIC FAMILY SERVICE IN THE AREA AND OHIO. HIS SON SUGGESTED HE APPLY FOR THE POSITION AND HE WOULD BE A GOOD CONSULTANT FOR HIM IF NEEDED. MR. HUSKINS WOULD APPRECIATE BEING CONSIDERED FOR THE POSITION.

MOTION 23: COMM. DURANCZYK MOVED TO REAPPOINT THE FOLLOWING APPLICANTS: ART POMINVILLE, ROBERT PAWLAK, RICHARD BYRNE AND EUGENE GWIZDALA TO THE BAY-ARENAC BEHAVIORAL HEALTH AUTHORITY FOR 3-YEAR TERMS EACH TO EXPIRE MARCH 31, 2013 (VOTING RESULTS ARE LISTED BELOW):

ART POMINVILLE (Incumbent) - 8 VOTES: DURANCZYK, BESON, BEGICK, MAILLETTE, KRYGIER, COONAN, ELDER, GWIZDALA
HANNU TIITOLA - 1 VOTE: BEGICK

ROBERT PAWLAK (Incumbent) - 9 VOTES: DURANCZYK, BESON, BEGICK, MAILLETTE, KRYGIER, COONAN, ELDER, GWIZDALA, TILLEY

RICHARD BYRNE (Incumbent) - 8 VOTES: DURANCZYK, BESON, MAILLETTE, KRYGIER, COONAN, ELDER, GWIZDALA, TILLEY

STANLEY GORZINSKI - 0 VOTES

EUGENE GWIZDALA (Incumbent) - 9 VOTES: DURANCZYK, BESON, BEGICK, MAILLETTE, KRYGIER, COONAN, ELDER, GWIZDALA, TILLEY

ROBERT HUSKINS - 1 VOTE: BEGICK

IT WAS SUPPORTED BY COMM. KRYGIER AND CARRIED BY A VOICE VOTE OF: 9 YEAS, 0 NAYS.

MOTION 24: COMM. GWIZDALA MOVED TO RECEIVE THE LETTER DATED FEBRUARY 9, 2010 FROM THE CITY OF BAY CITY REGARDING

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BOARD OF COMM.MARCH 9, 2010

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APPLICATION FOR OBSOLETE PROPERTY REHABILITATION EXEMPTIONS FROM STEVE INGERSOLL FOR PROPERTIES LOCATED AT 108 LINN STREET AND 1900 BROADWAY AVENUE, BAY CITY, MICHIGAN, IN THE AMOUNTS OF \$700,000.00 AND \$750,000.00 RESPECTIVELY. IT WAS SUPPORTED BY COMM. COONAN AND PASSED BY A VOICE VOTE OF: 9 YEAS, 0 NAYS.

MOTION 25: COMM. TILLEY MOVED TO RECEIVE THE LETTER DATED FEBRUARY 22, 2010 FROM THE CITY OF BAY CITY REGARDING APPLICATION FOR INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE FROM F.P. HORAK COMPANY, BAY CITY, MICHIGAN, FOR PROPERTY LOCATED AT 401 SAGINAW STREET, BAY CITY, MICHIGAN IN THE AMOUNT OF \$1,878,337.00. IT WAS SUPPORTED BY COMM. KRYGIER AND CARRIED BY A VOICE VOTE OF: 9 YEAS, 0 NAYS.

MOTION 26: COMM. DURANCZYK MOVED TO RECEIVE THE LETTER DATED MARCH 1, 2010 FROM THE CITY OF PINCONNING, MICHIGAN, REGARDING APPLICATION FOR INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE FROM TUBULAR METAL SYSTEMS, LLC, PINCONNING, MICHIGAN, FOR PROPERTY LOCATED AT 401 E. FIFTH STREET, PINCONNING, MICHIGAN, IN THE AMOUNT OF \$1,281,720.00. IT WAS SUPPORTED BY COMM. GWIZDALA AND ADOPTED BY A VOICE VOTE OF: 9 YEAS, 0 NAYS.

REPORTS/RESOLUTIONS OF COMMITTEES

**WAYS AND MEANS, DONALD J. TILLEY, CHAIRMAN;
EUGENE F. GWIZDALA, VICE CHAIR**

RES. 2010-34: COMM. TILLEY MOVED TO ADOPT RES. 2010-34 APPROVING THE PURCHASE OF A NEW PATROL VEHICLE FOR THE SHERIFF'S DEPARTMENT DUE TO A TRAFFIC ACCIDENT IN WHICH THE PATROL VEHICLE WAS DETERMINED TO BE A TOTAL LOSS. NO FUNDING WAS INCLUDED IN THE BAY COUNTY SHERIFF'S 2010 BUDGET TO COVER THE EXPENSE OF A NEW VEHICLE, THEREFORE, MONIES WILL COME FROM FUND BALANCE AND BUDGET ADJUSTMENTS REQUIRED ARE APPROVED. IT WAS SUPPORTED BY COMM. GWIZDALA AND PASSED BY A VOICE VOTE OF: 9 YEAS, 0 NAYS.

RES. 2010-35: COMM. TILLEY MOVED TO ADOPT RES. 2010-35 APPROPRIATING

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BOARD OF COMM.MARCH 9, 2010

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\$8,079.00 FROM FUND BALANCE FOR THE PURCHASE OF A POLYCOM SYSTEM (\$7,630.00) AND AUDIO VISUAL CART (\$449.00) FOR THE PROBATE AND JUVENILE COURT. THE PROBATE COURT IS CURRENTLY USING A POLYCOM VIDEOCONFERENCING SYSTEM, TO HOLD MENTAL HEALTH HEARINGS FOR RESIDENTS IN A STATE FACILITY IN CARO, MICHIGAN. THE JUVENILE HOME WOULD ALSO BE ABLE TO CONDUCT HEARINGS ON THEIR YOUTH BEING HELD AT THE BAY COUNTY JUVENILE HOME WITH OTHER COUNTIES THAT HAVE POLYCOM SYSTEMS, RESULTING IN A SAVINGS TO THOSE COUNTIES. IT WAS SUPPORTED BY COMM. MAILLETTE AND CARRIED BY A VOICE VOTE OF: 9 YEAS, 0 NAYS.

RES. 2010-36: COMM. TILLEY MOVED TO ADOPT RES. 2010-36 SUPPORTING THE APPLICATION OF AIR ADVANTAGE, A WIRELESS INTERNET PROVIDER BASED IN FRANKENMUTH, FOR AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) BROADBAND INITIATIVE FUNDS, INCLUDING AREAS WITHIN BAY COUNTY. IT WAS SUPPORTED BY COMM. GWIZDALA AND ADOPTED BY A VOICE VOTE OF: 9 YEAS, 0 NAYS.

RES. 2010-37: COMM. TILLEY MOVED TO ADOPT RES. 2010-37 APPROVING THE RENEWAL CONTRACT WITH JOHN H. WEST, JR. AS REGIONAL AREA PLANNER FOR THE REGION 3 HOMELAND SECURITY PLANNING BOARD, AND TO ACT AS FIDUCIARY AGENT FOR BAY COUNTY. FURTHER, AUTHORIZING THE BOARD CHAIRMAN TO SIGN ALL NECESSARY DOCUMENTS FOLLOWING LEGAL REVIEW AND THAT BUDGET ADJUSTMENTS, IF REQUIRED, ARE APPROVED. IT WAS SUPPORTED BY COMM. GWIZDALA AND PASSED BY A VOICE VOTE OF: 9 YEAS, 0 NAYS.

RES. 2010-38: COMM. TILLEY MOVED TO ADOPT RES. 2010-38 ACCEPTING THE TERMS OF THE AGREEMENT AS RECEIVED FROM THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES, IN REGARD TO THE PINCONNING PARK \$184,100.00 IN-KIND MATCH, AND THAT THE BAY COUNTY BOARD OF COMMISSIONERS DOES SPECIFICALLY AGREE BUT NOT BY WAY OF LIMITATION, AS FOLLOWS:

1. TO APPROPRIATE ALL FUNDS NECESSARY TO COMPLETE THE PROJECT DURING THE PROJECT PERIOD AND TO PROVIDE \$184,100.00 (IN-KIND) TO MATCH THE GRANT AUTHORIZED BY THE DEPARTMENT.
2. TO MAINTAIN SATISFACTORY FINANCIAL ACCOUNTS, DOCUMENTS AND RECORDS TO MAKE THEM AVAILABLE TO THE DEPARTMENT FOR

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BOARD OF COMM.MARCH 9, 2010

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AUDITING AT REASONABLE TIMES.

3. TO CONSTRUCT THE PROJECT AND PROVIDE SUCH FUNDS, SERVICES, AND MATERIALS AS MAY BE NECESSARY TO SATISFY THE TERMS OF SAID AGREEMENT.

4. TO REGULATE THE USE OF THE FACILITY CONSTRUCTED AND RESERVED UNDER THIS AGREEMENT TO ASSURE THE USE THEREOF BY THE PUBLIC ON EQUAL AND REASONABLE TERMS.

5. TO COMPLY WITH ANY AND ALL TERMS OF SAID AGREEMENT INCLUDING ALL TERMS NOT SPECIFICALLY SET FORTH IN THE FOREGOING PORTIONS OF THIS RESOLUTION.

IT WAS SUPPORTED BY COMM. DURANCZYK AND CARRIED BY A VOICE VOTE OF: 9 YEAS, 0 NAYS.

RES. 2010-39: COMM. TILLEY MOVED TO ADOPT RES. 2010-39 GRANTING THE PURCHASE OF EIGHT (8) PERSONAL COMPUTERS FOR THE REGISTER OF DEEDS OFFICE AT A COST OF \$7,200.00, WITH MONIES TO COME FROM THE REGISTER OF DEEDS TECHNOLOGY FUND. THE CURRENT PERSONAL COMPUTERS BEING UTILIZED ARE OUTDATED AND ARE A CRITICAL PART OF THE OFFICE OPERATION. FURTHER, AUTHORIZING THE BOARD CHAIRMAN TO SIGN REQUIRED DOCUMENTS AND THAT BUDGET ADJUSTMENTS, IF REQUIRED, ARE APPROVED. IT WAS SUPPORTED BY COMM. KRYGIER AND ADOPTED BY A VOICE VOTE OF: 9 YEAS, 0 NAYS.

RES. 2010-40: COMM. TILLEY MOVED TO ADOPT RES. 2010-40 AUTHORIZING THE PROSECUTOR'S OFFICE TO PURCHASE SEVEN (7) LAPTOPS; FIVE (5) SCANNERS; AND SEVEN (7) ADDITIONAL COPIES OF WORDPERFECT SOFTWARE. THE TOTAL COST IS \$9,163.56 AND MONIES WILL COME FROM THE DRUG FORFEITURE FUND. CHERRYLAN IMPLEMENTED NEW SOFTWARE SPECIFIC TO THE PROSECUTOR'S OFFICE AND IN ORDER FOR THIS NEW FILING SYSTEM TO FUNCTION EFFICIENTLY, THERE IS A NEED FOR NEWER AND ADDITIONAL EQUIPMENT. IT WAS SUPPORTED BY COMM. MAILLETTE AND PASSED BY A VOICE VOTE OF: 9 YEAS, 0 NAYS.

RES. 2010-41: COMM. TILLEY MOVED TO ADOPT RES. 2010-41 ACCEPTING THE AWARD OF \$25,000.00 IN GRANT FUNDS FROM THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL. \$10,000.00 IS DESIGNATED FOR ENHANCED COORDINATION OF SAGINAW BAY COASTAL INITIATIVE ACTIVITIES AND \$15,000.00

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IS DESIGNATED TO IMPLEMENT RECOMMENDATIONS OF THE PHOSPHORUS COMMITTEE. FURTHER, AUTHORIZING THE BOARD CHAIRMAN TO EXECUTE DOCUMENTS FOLLOWING LEGAL REVIEW AND THAT BUDGET ADJUSTMENTS, IF REQUIRED, ARE APPROVED. IT WAS SUPPORTED BY COMM. KRYGIER AND CARRIED BY A VOICE VOTE OF: 9 YEAS, 0 NAYS.

RES. 2010-42: COMM. TILLEY MOVED TO ADOPT RES. 2010-42 APPROVING THE 2010 LIGHT TRAP DATA COLLECTOR'S CONTRACTS BETWEEN BAY COUNTY MOSQUITO CONTROL AND (12) SENIOR CITIZENS THROUGHOUT BAY COUNTY. THE (12) INDIVIDUALS WILL MONITOR THE TRAPS AND SHALL BE REIMBURSED AT THE RATE OF \$45.00 PER MONTH FOR THE MONTHS OF JUNE, JULY, AUGUST AND SEPTEMBER, 2010. IT WAS SUPPORTED BY COMM. BEGICK AND ADOPTED BY A VOICE VOTE OF: 9 YEAS, 0 NAYS.

RES. 2010-43: COMM. TILLEY MOVED TO ADOPT RES. 2010-43 AWARDING THE 2010 CONTROL MATERIALS BIDS FOR BAY COUNTY MOSQUITO CONTROL TO THE LOWEST QUALIFIED BIDDER AS FOLLOWS:

1. CLARKE MOSQUITO - 20 GALS. OF TEMEPHOS 4E AT \$343.00/GAL. AND 3 CASES OF NATULAR XRT AT \$763.64/CASE.
2. B & G CHEMICAL & EQUIPMENT - 2,000 LBS. OF ABATE 1SG AT 1.96/LB.; AND 750 GALS. OF LARVICIDE OIL AT \$4.57/GAL.
3. UNIVAR USA - 2,000 GALS. OF ULV PERMETHRIN AT \$15.65/GAL.; AND 8 CASES OF BTI BRIQUETS AT \$60.00/CASE.
4. 2,000/LBS. OF ADAPCO AT \$6.25/LB.

NOTED: IT IS RECOMMENDED AWARDING THE PRODUCT TEMEPHOS 4E BID TO CLARKE MOSQUITO CONTROL BECAUSE OF ITS PERFORMANCE. THE LOWEST BIDDER'S B & G CHEMICAL, THE PRODUCT HAS PERFORMED IN AN UNSATISFACTORY MANNER IN THE PAST.

IT WAS SUPPORTED BY COMM. GWIZDALA AND PASSED BY A VOICE VOTE OF: 9 YEAS, 0 NAYS.

RES. 2010-44: COMM. TILLEY MOVED TO ADOPT RES. 2010-44 APPROVING THE 2010 SCRAP TIRE PROJECT/AGREEMENT BETWEEN BAY COUNTY MOSQUITO CONTROL AND ENVIRONMENTAL RUBBER RECYCLING, INC. FOR THE DISPOSAL OF USED TIRES WITHIN BAY COUNTY WHICH HAVE THE POTENTIAL TO BE MOSQUITO BREEDING SITES. FUNDS FOR SAID PROJECT WERE INCLUDED IN THE 2010 BUDGET. FURTHER, AUTHORIZING THE BOARD CHAIRMAN TO

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EXECUTE SAID AGREEMENT FOLLOWING LEGAL REVIEW. IT WAS SUPPORTED BY COMM. GWIZDALA AND CARRIED BY A VOICE VOTE OF: 9 YEAS, 0 NAYS.

RES. 2010-45: COMM. TILLEY MOVED TO ADOPT RES. 2010-45 APPROVING AMENDMENT #3 TO THE 2009-2010 CPBC CONTRACTING AGREEMENT BETWEEN BAY COUNTY AND THE MICHIGAN DEPARTMENT OF COMMUNITY HEALTH. THE AGREEMENT IS BEING AMENDED TO REFLECT UPDATED PROGRAM LANGUAGE AND REVISED ALLOCATIONS RECEIVED SINCE AMENDMENT #2 WAS ISSUED REFLECTING POSITIVE CHANGES TO FUNDING LEVELS. IT WAS SUPPORTED BY COMM. GWIZDALA AND ADOPTED BY A VOICE VOTE OF: 9 YEAS, 0 NAYS.

RES. 2010-46: COMM. TILLEY MOVED TO ADOPT RES. 2010-46 APPROVING VARIOUS BUDGET ADJUSTMENTS. IT WAS SUPPORTED BY COMM. COONAN AND PASSED BY A VOICE VOTE OF: 9 YEAS, 0 NAYS.

MOTION 27: COMM. TILLEY MOVED TO REFER THE PINCONNING PARK DESIGN SERVICES PRESENTATION TO THE APRIL BOARD SESSION WHEN THE QUALIFICATION BASED SELECTION (QBS) PROCESS WILL BE COMPLETED. IT WAS SUPPORTED BY COMM. DURANCZYK AND CARRIED BY A VOICE VOTE OF: 9 YEAS, 0 NAYS.

**HUMAN SERVICES, MICHAEL J. DURANCZYK CHAIRMAN;
VAUGHN J. BEGICK, VICE CHAIR**

THERE WERE NO HUMAN SERVICES ISSUES.

**PERSONNEL/JUDICIAL, ERNIE KRYGIER, CHAIRMAN;
KIM COONAN, VICE CHAIR**

RES. 2010-47: COMM. COONAN MOVED TO ADOPT RES. 2010-47 APPROVING THE BAY COUNTY INMATE SERVICES CONTRACT WITH BLUE CROSS/BLUE SHIELD FOR THE PERIOD MAY 2010 - APRIL 2011, WITH THE ADMINISTRATIVE CHARGE, WHICH REPRESENTS THE COST PAID BY THE COUNTY AT 11%, REMAINING THE SAME AS THE LAST CONTRACT PERIOD. FURTHER, THE BOARD CHAIRMAN IS AUTHORIZED TO EXECUTE SAID AGREEMENT FOLLOWING LEGAL REVIEW AND THAT ANY BUDGET

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ADJUSTMENTS REQUIRED ARE APPROVED. IT WAS SUPPORTED BY COMM. MAILLETTE AND ADOPTED BY A VOICE VOTE OF: 9 YEAS, 0 NAYS.

RES. 2010-48: COMM. COONAN MOVED TO ADOPT RES. 2010-48 APPROVING THE CONTINUATION OF THE TOWNSHIP ROAD PATROL CONTRACTS WITH THE BAY COUNTY SHERIFF DEPARTMENT FOR THE PERIOD 4/1/10 THROUGH 3/31/11 UNDER THE CURRENT AGREED TO TERMS. FURTHER, AUTHORIZING THE BOARD CHAIRMAN TO EXECUTE SAID CONTRACTS FOLLOWING LEGAL REVIEW AND THAT BUDGET ADJUSTMENTS, IF REQUIRED, ARE APPROVED. IT WAS SUPPORTED BY COMM. TILLEY AND PASSED BY A VOICE VOTE OF: 9 YEAS, 0 NAYS.

RES. 2010-49: COMM. COONAN MOVED TO ADOPT RES. 2010-49 TO POST/ADVERTISE/FILL THE FOLLOWING VACANCIES WITH MONIES FOR SAID POSITIONS TO COME FROM THE RESPECTIVE DEPARTMENTAL BUDGETS:

- A. SHERIFF DEPARTMENT - 2010 MARINE PATROL, 5 SUPERVISORS AT \$11.00/HR.; AND MARINE DEPUTIES, AT \$10.00/HR. (DNR GRANT FUNDED)
- B. DIVISION ON AGING - ON-CALL DRIVER, AT \$9.00/HR.

FURTHER, THAT BUDGET ADJUSTMENTS, IF REQUIRED, ARE APPROVED AND IT IS CLEARLY UNDERSTOOD THAT ANY POSITIONS FUNDED THROUGH A GRANT SHALL BE TERMINATED IF GRANT FUNDING IS TERMINATED. IT WAS SUPPORTED BY COMM. GWIZDALA AND CARRIED BY A VOICE VOTE OF: 9 YEAS, 0 NAYS.

BOARD OF COMM., BRIAN K. ELDER, CHAIRMAN; PATRICK H. BESON, VICE CHAIR

RES. 2010-50: COMM. BESON MOVED TO ADOPT RES. 2010-50 APPROVING THE CLAIMS AGAINST THE COUNTY AS FOLLOWS: ACCOUNTS PAYABLE FOR 2/10/10, 2/17/10, 2/24/10, 3/3/10; PAYROLL FOR 2/26/10; BAYANET FOR 1/1/10-1/31/10, 2/1/10-2/28/10; AND CENTER RIDGE ARMS PAYABLES FOR 3/3/10. IT WAS SUPPORTED BY COMM. MAILLETTE AND ADOPTED BY A VOICE VOTE OF: 9 YEAS, 0 NAYS.

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RES. 2010-51: COMM. BESON MOVED TO ADOPT RES. 2010-51 RECEIVING THE REPORTS OF THE COUNTY EXECUTIVE AS FOLLOWS: THE EMPLOYMENT STATUS REPORT FOR FEBRUARY 2010; AND THE WORKERS' COMPENSATION REPORT FOR JANUARY 2010. IT WAS SUPPORTED BY COMM. DURANCZYK AND PASSED BY A VOICE VOTE OF: 9 YEAS, 0 NAYS.

COMMISSIONERS COONAN AND KRYGIER

RES. 2010-52: COMM. COONAN MOVED TO ADOPT RES. 2010-52 SUPPORTING ATTORNEY GENERAL MIKE COX AND MICHIGAN GOVERNOR JENNIFER M. GRANHOLM, TO PURSUE REMEDIES TO STOP ASIAN CARP SPECIES FROM ENTERING LAKE MICHIGAN AND TO PROTECT THE STATE OF WISCONSIN INTERESTS. FURTHER, THAT COPIES OF THIS RESOLUTION BE SUBMITTED TO THE PRESIDENT OF THE UNITED STATES, THE GOVERNOR OF MICHIGAN, MICHIGAN'S CONGRESSIONAL DELEGATES AND MICHIGAN LEGISLATURES. IT WAS SUPPORTED BY COMM. TILLEY AND CARRIED BY A VOICE VOTE OF: 9 YEAS, 0 NAYS.

COMM. DURANCZYK SAID WE CANNOT AFFORD TO LET THE ASIAN CARP SPECIES TO INVADE OUR WATERWAYS. ONE (1) FEMALE FISH CAN LAY MANY EGGS. ALSO, IT IS DOCUMENTED THAT A MAN DIED BY ONE OF THESE FISH JUMPING OUT OF THE WATER AND HITTING HIM IN THE CHEST. THEY ARE VERY LARGE FISH.

COMM. TILLEY SAID THESE FISH ARE MASSIVE EATERS OF PLANKTON AND WOULD DEplete THE FOOD SOURCE FOR OTHER FISH. HE SAID THIS IS A MAJOR PROBLEM THAT NEEDS TO BE ADDRESSED NOW.

CHAIRMAN ELDER AGREED WITH THE OTHER COMMISSIONERS AND SAID IF THE INVASION OCCURS, THE IMPACT ON OUR ECONOMY WOULD BE DEVASTATING.

REPORTS OF COUNTY OFFICIALS/DEPARTMENTS

TIM QUINN SAID FOLLOWING THE REVIEW OF 50 APPLICANTS, CRYSTAL HEBERT, BAY COUNTY DRAIN OFFICE ACCOUNTANT, WAS CHOSEN TO FILL A POSITION, EFFECTIVE MARCH 10, 2010. MR. QUINN SAID SHE HAS BEEN WORKING FOR BAY COUNTY

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SINCE 2006; HAS A BACHELOR'S DEGREE FROM NORTHWOOD UNIVERSITY; AND WAS TREASURER FOR THE CITY OF PINCONNING. HE SAID SHE IS CUSTOMER ORIENTED AND CONFIDENT SHE WILL DO WELL AS ASSISTANT FINANCE OFFICER.

CRYSTAL HEBERT THANKED MR. QUINN FOR THE INTRODUCTION AND THE OPPORTUNITY AND SAID SHE WAS LOOKING FORWARD TO WORKING WITH EVERYONE.

COMM. DURANCZYK SAID FOR THE LAST FOUR (4) YEARS HE WAS MAYOR OF PINCONNING, HE HAD THE PLEASURE OF WORKING WITH MS. HEBERT AS CITY TREASURER. HE SAID IT WAS DIFFICULT TO LOOSE HER AS TREASURER AND WAS CONFIDENT SHE WOULD DO A GREAT JOB FOR THE COUNTY.

UNFINISHED BUSINESS

THERE WAS NO UNFINISHED BUSINESS.

NEW BUSINESS

THERE WAS NO NEW BUSINESS.

MISCELLANEOUS

THERE WERE NO MISCELLANEOUS ITEMS.

ANNOUNCEMENTS

ALSO, CHAIRMAN ELDER SAID THERE WILL BE A SPECIAL BOARD MEETING, TUESDAY, MARCH 16, 2010 TO DISCUSS PROGRESS IN LABOR NEGOTIATIONS.

CLOSED SESSION

THERE WAS NO NEED FOR CLOSED SESSION.

RECESS/ADJOURNMENT

MOTION 28:

COMM. KRYGIER MOVED TO ADJOURN THE REGULAR BOARD SESSION OF MARCH 9, 2010. IT WAS SUPPORTED BY COMM. TILLEY. THE MEETING CONCLUDED AT 5:03 P.M. BY A VOICE VOTE OF: 9 YEAS, 0 NAYS.

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BRIAN K. ELDER, CHAIRMAN
BOARD OF COMMISSIONERS

CYNTHIA A. LUCZAK, COUNTY CLERK
BOARD OF COMMISSIONERS

SHEILA E. SHAW
SECRETARY TO THE CLERK
BOARD OF COMMISSIONERS

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